




3 1761 11853979 0



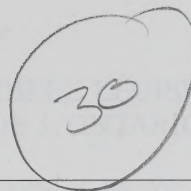
Digitized by the Internet Archive
in 2023 with funding from
University of Toronto

<https://archive.org/details/31761118539790>

CA20N

x1
-023

Government
Publications



No. 130

N° 130

ISSN 1180-2987

Legislative Assembly of Ontario

Third Session, 35th Parliament

Assemblée législative de l'Ontario

Troisième session, 35^e législature

Official Report of Debates (Hansard)

Monday 16 May 1994

Journal des débats (Hansard)

Lundi 16 mai 1994



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers

50th anniversary

1944–1994

50^e anniversaire

Hansard is 50

Hansard reporting of complete sessions of the Legislative Assembly of Ontario began on 23 February 1944 with the 21st Parliament. A commemorative display may be viewed on the main floor of the Legislative Building.

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats a 50 ans

Le reportage des sessions intégrales de l'Assemblée législative de l'Ontario, fait par le Journal des débats, a commencé le 23 février 1944 avec la 21^e législature. Une exposition pour marquer cet événement est étalée au premier étage de l'Édifice du Parlement.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 16 May 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 16 mai 1994

The House met at 1333.

Prayers.

ESTIMATES

Hon Brian A. Charlton (Chair of the Management Board of Cabinet): Mr Speaker, I have a message from the Honourable the Lieutenant Governor signed by his own hand.

The Speaker (Hon David Warner): The Lieutenant Governor transmits estimates of certain sums required for the services of the province for the year ending March 31, 1995, and recommends them to the Legislative Assembly.

MEMBERS' STATEMENTS MINING INDUSTRY

Mr Frank Miclash (Kenora): As you will know, Mr Speaker, each year the mining industry in Ontario sponsors what is known as Mining Week in Ontario, and today marks the first day of that particular Mining Week for 1994. I can only remind you of the billions of dollars that this industry contributes to the economic wellbeing of the entire province, and I must say, being from a northern riding, I can't stress enough the importance of this industry in my riding.

In Balmertown we have two of the largest gold mines in North America, those being the Campbell and the Dickeson mines. As well we have a potential development taking place in Shoal Lake, a community just west of Kenora, that development being the property of Consolidated Professor, a property which has a great potential for the economic impact of the area.

Mr Speaker, you will remember my resolution of October 21 past where I asked the House to support the resolution that would bring various ministries together, ministries that would take a closer look at what they were doing to this industry, which has often been referred to as the pillar of the economy in the province of Ontario.

The resolution did gain the entire support on a majority basis in the House but did not gain the support that I wanted from the benches on the NDP side. It passed, of course, 33 to 29 in the vote. But again during this Mining Week I would like to stress the importance of this industry to not only my riding but the entire province.

At this time I would like to invite all members, on behalf of the Ontario Mining Association, to the Royal Ontario Museum Wednesday evening to meet the miners.

COMMUNITY COLLEGE GOVERNANCE

Mrs Elizabeth Witmer (Waterloo North): The Alumni Association of Conestoga College has embarked on a campaign protesting the interference of the Ontario Council of Regents in the selection of the college's board of governors.

The Council of Regents says every board should have representatives from organized labour, aboriginals and people with disabilities and, as a result, is rejecting some highly qualified local people in its attempt to put its own stamp on the makeup of the board.

This campaign includes newspaper ads by Conestoga College alumni which state:

"The College of Regents is trying to dictate who should be members of college boards of governors. This will result in people less qualified and less interested in our community than Larry Zepf being appointed to Conestoga College's board of governors. The board of directors of the Alumni Association of Conestoga College believes governors must be selected on the merits of their expertise, their interest in the community and their dedication to the colleges." I agree.

Over 450 members of my community have signed petitions supporting this campaign and calling on the government to agree to a three-party review of the criteria for approving appointments to community college boards. I strongly support the alumni association's campaign and I join them in demanding that the government agree to an immediate all-party review of its policy.

The petitions, which are addressed to the Minister of Education and Training, have been placed on the 30-foot banner which my colleagues are holding up behind me. These petitions are an indication of the widespread concern—

The Speaker (Hon David Warner): The member's time has expired. Order. The honourable member for Waterloo North may not have been aware of it, but while she was making her statement two of her colleagues were holding a very large banner behind her. The member will know that it is not really in keeping with maintaining appropriate decorum in the chamber. I would ask that, as we continue, all members keep that in mind whenever they're making a statement.

HEALTH CARE

Mr Robert Frankford (Scarborough East): It was a pleasure to meet with physician colleagues from the United States over the weekend when Physicians for a National Health Program chose Toronto for its semi-annual meeting.

These are conscientious practising doctors alarmed about the appalling inequities of their country's health care system, which drains the resources of patients, government and businesses. They are angry with Clinton's unworkable compromise plan, which on analysis will only make the level of care worse and make costs increase. Clinton's plan is destined to fail.

What they are calling for is a Canadian approach, also often referred to a single-payer system. They can see the

lower costs, particularly of administration, the comprehensiveness, the universality, which means that there are no exclusions for existing health risks. They would dearly appreciate national legislation like the Canada Health Act, which requires universality, portability and non-profit administration.

Our discussions were frank and we did not suggest that our system here is perfect. While it may be consistent with the Canada Health Act to exclude such things as prescription drugs, coverage for temporary residents in the country and full coverage for snowbirds outside, we risk people's health by these exclusions and make those affected dependent on the inconsistencies of private insurance. There are innovative ways to remove the exclusions and strengthen the public system.

It is with Canadian citizens as well as the Americans that I join my medical colleagues and the groundswell of opinion in joining the call on this bumper sticker: "Single payer. One system for everyone."

1340

REGULATION OF MORTGAGE BROKERS

Mr Gerry Phillips (Scarborough-Agincourt): I want to express my disappointment with the Bob Rae-NDP government. I think all of us in this Legislature have received complaints from people who have been ripped off by loan brokers, people who say they will get someone a loan, promise that they've got the loan secured and then say, "All you need now is to give me a little deposit and I'll get the loan," only to find a couple of days later that (a) they don't get the loan and (b) they get none of their deposit back.

I have attempted to help to solve this problem. I sent the government a letter months ago saying, "Are you going to act on this?" I never got a response back from the government. I said, "Fine, I'll introduce a private member's bill." I prepared a private member's bill and sent it to the two ministers who are involved in it, both of whom never got back to me. I introduced a private member's bill designed to solve this problem, only to find that suddenly the NDP government, the day it was debated, indicated it had some problems with it and essentially shelved the legislation.

What you'll find now, all of you out there who are being ripped off by them, is that there was a bill that would solve it and the NDP chose to shelve it. Ironically, I have a friend who's a quadriplegic. His attendant, four days after the bill was shelved, was ripped off for \$300.

I can tell you I am very disappointed. I will not let this matter die and eventually I will force the NDP government to act on it.

PUBLIC SAFETY

Mr Robert W. Runciman (Leeds-Grenville): I'd like to commend the unknown Liberal leader for recent pronouncements on her party's commitment to safe communities. The booklet is the Liberals' catch-up answer to Mike Harris's *New Directions*, Volume Three: *A Blueprint for Justice and Community Safety in Ontario*, which we released back in January.

It's interesting that the first time the Liberals take a stand on crime, they do so by plagiarizing directly from

Mike Harris. Of the 33 recommendations in the McLeod report, at least 21 of the ideas are to be found in *New Directions*, Volume Three: *A Blueprint for Justice and Community Safety in Ontario*. I guess imitation is the sincerest form of flattery.

Here are just a few of the Mike Harris recommendations which resurface in the Liberal pamphlet: zero tolerance for violence and guns in school, court diversion programs, improvements to dangerous offender legislation. They also want a registry for sex offenders, something covered in a bill introduced by our member for York Mills, David Turnbull.

The list goes on and on. Page 10 of the Liberal booklet talks of prohibiting criminals from profiting from their crimes: shades of Bill 85 put forward by Cam Jackson, our member for Burlington South.

Perhaps the Liberals' greatest tribute to our party's hard work is their call for a victims' bill of rights, again proposed by us and voted against by the former Liberal government, something also introduced by Cam Jackson.

We're wondering when we can expect to see the Liberals' knock-off of our latest document, the *Common Sense Revolution*. Should we just make it easier and add them to our mailing list?

POLICE WEEK

Mr Kimble Sutherland (Oxford): This is Police Week in Canada. I invite all members to join me in recognizing the outstanding work done by our dedicated women and men in blue.

Police Week in Ontario is sponsored by the Ministry of the Solicitor General and Correctional Services, the Ontario Association of Chiefs of Police, the OPP, the Royal Canadian Mounted Police and municipal police services.

Our police officers are often the first line of contact between the public and the justice system in Ontario. This is a difficult position to be in, but our police officers do their dangerous and increasingly complex jobs with professionalism, integrity and compassion. They deserve our respect and support.

Ontarians know that our police services are first rate. A recent Environics survey found a great majority of Ontario residents rated their police services very highly. This is a tribute to the many officers who put their lives on the line every day in the service of others.

The theme of this year's Police Week is "Working Together in the Community." It highlights the work police services are doing to respond to the spirit of community policing.

In my riding of Oxford there will be a number of events, including a mall exhibit by the Woodstock detachment of the OPP, school tours of the Ingersoll police station and classroom visits of the Ingersoll Police Service.

This morning the Honourable David Christopherson, Solicitor General and Minister of Correctional Services, attended an appreciation breakfast to kick off Police Week in Hamilton. Earlier this afternoon he joined the Metropolitan police service to officially launch Police Week here in Toronto.

I encourage all members and their constituents to show their support for their local police service by participating in the various Police Week activities.

PUBLIC SAFETY

Mr Robert Chiarelli (Ottawa West): Last Friday Liberal leader Lyn McLeod released a comprehensive policy to support her party's commitment to making our communities safer. Although our communities are statistically among the safest in North America, the trend has definitely been moving in the wrong direction and needs to be reversed.

Lyn McLeod's commitment includes cracking down on gun-related crime; toughening sentence, parole and bail provisions; reforming the Young Offenders Act; protecting women and children from abuse and crime; defending victims' rights; creating safer neighbourhoods through crime prevention methods such as safety audits and community policing; attacking crime's root causes: poverty, joblessness, discrimination, family violence, lack of education and illegal drug use.

Ontario citizens want government action to prevent crime, to fight violence in our communities and to make sure violent criminals are caught and punished.

A small part of our action plan was to introduce Bill 151, An Act to control the Purchase and Sale of Ammunition. We were pleased to see all parties, including Mr Runciman, support this measure on second reading, and we urge the government to take quick action to pass this bill.

Once again, to the member for Leeds-Grenville, no party or government has ownership of this issue. This issue is owned by the people, and the people want action for safer communities now.

WILLIAM HOWLAND

Mr Norman W. Sterling (Carleton): I rise today in the Legislature to pay our respects to Justice William Howland, who died last Friday at the age of 79.

Most of you are probably familiar with Chief Justice Howland and his involvement in some of the most sensational and controversial court cases in Ontario in recent years. He headed the panel that upheld the convictions of Ernst Zundel on a charge of spreading false news, he was one of two dissenting judges concerning the extension of financing of Roman Catholic schools and he sat on the Court of Appeal into the inquiry on the Patti Starr affair.

Members like myself who were elected before 1990 will remember him filling in for the Lieutenant Governor on many occasions, and he indeed signed many of the pieces of legislation which previous governments passed. We can attest, as will most of his colleagues in the legal profession, that Justice Howland was one of the most dedicated individuals ever to sit on the bench. He worked long, hard hours and he was committed to bettering our justice system.

He was noted for holding an annual press conference at the opening of the courts each January to express his likes or dislikes about what the government was doing with regard to the justice system. Some of those comments initiated such reviews as the length of time it took

for cases to go to trial. He felt that delays for trial were an injustice to both victims and individuals accused of committing crimes.

Justice Howland had an illustrious life. He was a silver medalist from Osgoode Hall Law School, was promoted to the Ontario Court of Appeal and became Chief Justice of this province and served there until 1990. He was awarded both the Order of Ontario and the Order of Canada in 1991.

Unfortunately, Judge Howland's other love in his life, his wife, Margaret Patricia, passed away about a year and a half ago and they had no children. I am sure, however, that all of us here in the Legislature would like to express our sympathies to not only his family but also his many, many friends in the legal community and recognize this man's tremendous contribution to our province over his lifetime.

PROGRESSIVE CONSERVATIVE PARTY PLAN

Mr Donald Abel (Wentworth North): Over the weekend I had the opportunity to read a very intriguing document called *The Common Sense Revolution*, an economic blueprint released by Progressive Conservative leader Mike Harris. Anyone who can read and operate a calculator will quickly realize that Mr Harris's figures in his economic blueprint simply don't add up.

Mr Harris also appears to be confused on where he stands politically. He can't decide if he wants Ontario to be Republican or Reform. Well, Ontarians don't want it to be either.

1350

We in Ontario have an emphasis on the collective good. As a result, our standard of living and quality of life are one of the best in the world. Ontario is known worldwide for its superiority in social security for the disadvantaged, in its health care system, in racial tolerance, in educational opportunities and in the overall quality of life. We are recognized as compassionate people with a strong humanitarian idealism, and that is something Ontarians should be very proud of.

The Progressive Conservatives, described by author Maude Barlow as "the parcel of rogues," will destroy what Ontarians have fought for for many years. Their slash-and-burn policies will change this province for all time. If allowed to implement his right-wing bona fides outlined in his document, Mr Harris would make former Conservative Premier Frank Miller's Ontario look like Sweden. Get with it, Mike. So much for common sense.

ORAL QUESTIONS

SALE OF AMMUNITION

Mrs Lyn McLeod (Leader of the Opposition): My first question is for the Minister of Consumer and Commercial Relations. In Etobicoke last week, a woman stepped off an elevator and was shot in the stomach. A 13-year-old and a 14-year-old have been charged in connection with that shooting. Over the weekend, there were reports of a holdup in Pickering, where a 15-year-old allegedly robbed a convenience store at gunpoint.

You're the minister responsible for consumer regulation and you are aware that there is absolutely nothing in regulation in this province that stops teenagers from

walking into the local sporting goods store and buying as much ammunition as they have the money to pay for.

Minister, I ask you: Do you believe that 13-year-olds and 14-year-olds should be legally allowed to buy bullets for guns?

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): Mr Speaker, I think that question would be most appropriately answered by the Attorney General.

Hon Marion Boyd (Attorney General): As the Leader of the Opposition is well aware, we are going to be having a thorough discussion in the legislative committee about the issue of the sale of ammunition. We have expressed as a government a very strong desire to look at the suggestions that have been brought forward about controlling the sale of ammunition. We've pledged our support to the federal government in its efforts to control the use and the sale and the stealing of arms, and we certainly intend to do that.

We look forward to the discussion in the justice committee and expect that we will be able to come forward with a consensus opinion from this Legislature on this very important issue.

Mrs McLeod: I wanted to address the question to the Minister of Consumer and Commercial Relations, who I had hoped not only would agree on the principle that there needs to be regulation but also would recognize that the ability to regulate the sale of a good in an Ontario store falls within her jurisdiction and does fall within the jurisdiction of the province. We do not believe there is any reason why this government, if it believes this to be an urgent issue, is not able to take action.

Since the minister has referred the question, I will repeat my question to the Attorney General. Minister, I do not believe this is an issue on which we need to spend extensive time discussing the principle. The question that I posed to the Minister of Consumer and Commercial Relations, I pose to you. It's a straightforward question. Do you believe that 13- and 14-year-olds should be able to walk into a store in the province of Ontario and buy bullets for guns? If you do not believe they should be able to walk into a store and buy bullets for guns, why will you not take immediate action as a government responsible for legislation in the province of Ontario?

Hon Mrs Boyd: My personal belief, frankly, on gun control issues and ammunition is very strong. No, I do not believe that anyone who doesn't have a valid firearms certificate ought to be able to purchase ammunition. I have no problem supporting that kind of recommendation.

But we had understood, and had certainly understood from the opposition, that this was an issue they wanted to discuss, and wanted to discuss as soon as possible and with some urgency, before the justice committee. We have committed to do that.

We are also very aware that this whole issue around guns and ammunition control should be coordinated in a general way with our fellow provinces and with the federal government, because the issue always is, of course, particularly in border communities, around making restrictions on one side of the border and having

those restrictions not honoured on the other side of the border.

We are saying that, yes, this is an important issue. I believe it needs to be discussed and there needs to be some action taken. But as with many other issues, provincial control over this is very highly limited by the lack of consistency across our country.

Mrs McLeod: Minister, we did raise this as an issue of some urgency with the government. We did urge the government to be willing to sit down with us and look at immediate steps that could be taken. That was more than six weeks ago. We now have the justice committee, finally, with some agreement to meet and discuss issues of concern and steps that can be taken to deal with the rising alarm about increasing crime, but the courts of justice bill is going to be heard even before we can begin to discuss these much more urgent issues.

Minister, that is why we proposed legislation. There is a private member's bill before this House in order to allow this Legislature to take what are logical, immediate first steps. The legislation that has been proposed to control the sale of ammunition in Ontario's stores could be passed very quickly. It is easy to implement. This kind of regulation has the support of police chiefs across the province.

Minister, I remind you how quickly your government has been willing to act in other circumstances where private member's legislation was brought forward to deal with the issue of minors purchasing, in this case, lottery tickets. Within a week that legislation was passed and your government moved to enact the legislation as quickly as possible.

The Speaker (Hon David Warner): Could the leader please a question, please.

Mrs McLeod: Surely restricting the ability of young people to go into a store and buy bullets demands as urgent a response as the legislation restricting the sale of lottery tickets to minors.

Minister, I ask again, will you support this private member's legislation? Will you take this necessary step to do something immediate, pass the legislation into law and enact it as quickly as possible?

Hon Mrs Boyd: I know it's in the best interests of the Leader of the Opposition to put it forward in a private member's bill and to talk about it as though it's the only solution to the issue. We were under the understanding that we wanted to look at the whole range of this issue of ammunition sales.

I don't in any way believe that we are dragging our feet on this issue. We have clearly said that we want to have a thorough discussion and that we see the need to link this to our discussions with and our support of the federal government in its very strong commitment on the issue of gun and ammunition control. I would just say to the member that there's no lack of commitment on our side of the House. I would also say that I think this member would be the first person to criticize this government if we were to go ahead without a thorough discussion of these issues, which is what that party has been asking for for some time.

The Speaker: New question.

Mrs McLeod: I believe there is a sense of urgency when a woman can step off an elevator and be shot by a gun held by 13- and 14-year-olds allegedly charged with this crime.

The Speaker: Could the leader place her second question, please.

Mrs McLeod: That is why every passing day adds to the urgency of this issue. It is not a time for long, thorough discussions. It is a time for action. Every day is a factor in public safety.

The Speaker: Could the leader place a second question, please.

NON-UTILITY GENERATION

Mrs Lyn McLeod (Leader of the Opposition): My second question is to the Minister of Environment and Energy. Minister, I want to return today to the very interesting deal that Hydro recently made with Suncor. It will not surprise you that we want to return to this issue.

As we understand your responses in the House last week to our questions, Ontario Hydro has made a deal with Suncor in which it will pay Suncor not to proceed with building a cogeneration plant which would allow it to produce its own electricity. Basically, what that means is that Hydro is paying Suncor, a private sector company, to continue to buy electricity from Hydro. That, as I understand it, is a very direct subsidy by Ontario Hydro to Suncor.

Minister, will you confirm that by any definition the deal between Hydro and Suncor is a direct subsidy to Suncor, and will you tell us how much that subsidy is?

Hon Bud Wildman (Minister of Environment and Energy): No, I will not confirm that at all, because it is incorrect. And I would just say that this government, unlike the government when the member was the Minister of Energy, is determined to create jobs in Sarnia, Ontario, rather than in Manitoba, which they did when they signed an agreement with Manitoba Hydro.

1400

Mrs McLeod: It's interesting that the minister references deals by Manitoba, because I know of companies in northwestern Ontario that are looking at whether it is possible to purchase electricity from Manitoba in order to reduce the costs of purchasing electricity from Ontario Hydro. That is exactly the kind of concern we have about any special deals that Hydro is making with companies. Hydro has opened the barn doors so wide that it is going to be impossible to close them again.

The minister will surely be aware that the media reported on Friday that Falconbridge, a large mining company, has expressed an interest in getting a similar deal, because Falconbridge is another of those companies that have been expressing concerns about the cost of purchasing their electricity. Those same pulp and paper companies that were looking to Manitoba or to Minnesota to find alternatives to purchasing power from Ontario Hydro will undoubtedly be looking with interest on any special deals with Suncor.

Minister, I ask you, how many special deals is Ontario

Hydro prepared to make with other companies to keep them buying electricity from Ontario Hydro, and how is Ontario Hydro going to decide just who gets the special deals?

Hon Mr Wildman: This is not a special deal, as the member indicates. This was an agreement made between Suncor and Ontario Hydro for an option to purchase, and it's been very clear that at the same time this was agreed to, there was a joint venture agreement made with Nova and Polysar and Dow Chemical in Sarnia for the purchase of electricity generated in the Sarnia area, again producing jobs in Sarnia.

It's been very clear, and I've made it clear repeatedly, that if other companies wish to make proposals to Ontario Hydro that are economic and in the interests of Ontario Hydro ratepayers, which will ensure the capacity of the companies to remain competitive, Ontario Hydro will consider such proposals. This is not a special deal.

Mrs McLeod: If this is not a special deal, then it really does beg the question: What is the basis? What's the policy direction? How is Hydro going to implement its new approaches to its large customers? From the minister's answer, I wonder if it will mean that anybody who submits a co-gen proposal, a proposal to produce electricity that Hydro does not act on, is going to get a special buyout provision from Ontario Hydro so they don't go ahead with their co-gen proposal.

At the end of the day, the issue that is of real concern is what this kind of deal will ultimately do to the cost of electricity for everybody who buys electricity in the province of Ontario. I mean everybody who buys electricity, from the major corporations that we're talking about to the family of four to the single mom on welfare. Hydro is not mandated to do special business deals; it's a public utility and its mandate, by law, is to sell power at cost to all who purchase power from Ontario Hydro.

The Speaker (Hon David Warner): Could the leader place a question, please.

Mrs McLeod: What will this special deal do to the cost of electricity not just for big customers, but for that family of four or that single mom on welfare? What will this do to Hydro rates?

Hon Mr Wildman: The agreement, which the member insists on calling a special deal, will not affect in any particularly significant way rates to any customers of Ontario Hydro, whether they be residential customers, business or industrial customers.

The member will know that the Ontario Energy Board hearings have begun today. One of the issues that will be dealt with in those hearings is questions of not just the rate, but how Ontario Hydro's rates will be charged to its customers in the best interests of Ontario Hydro ratepayers and the taxpayers of Ontario. I'm sure these matters will be explored and canvassed thoroughly before the Ontario Energy Board, and we look forward to the rulings and the recommendations of the board, which we expect in August.

PURCHASE OF LAND

Mr Chris Stockwell (Etobicoke West): My question is to the Minister of Environment and Energy. On the

weekend, I was thumbing through some back copies of *Costa Rica Today* and I came across this nugget of information.

Mr James J. Bradley (St Catharines): That sounds good to me.

Mr Stockwell: Well, I was bored watching the opening of the casino, to be quite frank. I note it's the first time the NDP have been at the opening of a casino that they weren't picketing; they were actually there for the opening. They were chanting, as a matter of fact, as they opened that casino.

Across this note on *Costa Rica Today*, I came across this little nugget. It said the *Costa Rica Today* newspaper reports, April 26, an offer from Ontario Hydro to purchase 12,500 hectares of environmentally sensitive land next to the Corcovado National Park for environmental preservation.

So I called Minister Counsellor Edwin Salas—the staff did, the office. He confirms the story and adds, “My understanding is,” in his words, “this is Maurice Strong’s baby.”

I would ask the minister of Hydro if he knows anything about this purchase and if he could explain why Ontario Hydro would be thinking about buying lands in Costa Rica for many millions of dollars, considering it has a \$35-billion debt.

Hon Bud Wildman (Minister of Environment and Energy): I must say that *Costa Rica Today* is not a periodical that I read regularly. I must have missed that edition. However, I would say, in answer to the question, that I will take it as notice and I will report back to the House.

Mr Stockwell: Maybe if the minister subscribed to *Costa Rica Today*, he could find out what's happening in his ministry a little quicker.

I will say we went on, and it says Strong met with the Costa Rican president in Ottawa late last month, and had “informal conversation” on the above agreement. “Why Hydro?” we asked Mr Salas, and he said, “Good question.” Mr Salas answered it was probably less bureaucratic than dealing with government.

Federal officials whom we called today confirmed the estimated value of the property at around \$10 million. Maybe you could ask Hydro officials why they would be looking at spending \$10 million in Central America and how this is going to help the ratepayers in the province of Ontario.

Hon Mr Wildman: I'd be glad to ask that, Mr Speaker.

The Speaker (Hon David Warner): Final supplementary.

Mr Stockwell: Well, I probably have one more. I was so overwhelmed with the casino opening that I was flipping through this when it came on. Luckily it was open and it gave me time to read *Costa Rica Today*, because I heard the chants from the NDP in the casino. “Yes, it's true,” they shouted. “We have finally sold out.”

I want to put finally to the Minister of Environment and Energy: Would you please contact the officials in

Costa Rica and find out exactly how much money Ontario Hydro would be paying for this land and on whose authority Mr Strong in fact opened negotiations to buy this piece of property? Finally, I put to you, if in fact this offer has been made through informal or formal channels, will you stand in your place today and say, “Not dime one will be sent to Costa Rica from Ontario officials so as to drive the cost of hydro up in the province of Ontario for some environmental reason that came to mind from Mr Strong”?

Hon Mr Wildman: I've indicated that I will investigate and report back to the House. Ontario Hydro International has been active throughout the globe on a number of initiatives. I don't know of this one. I don't know if the member is correct. As he says, if it has been suggested that Ontario Hydro will invest in this way, action should be taken. If it has, I'll respond to the House.

1410

HIGHWAY CONSTRUCTION

Mr Norman W. Sterling (Carleton): I have a question of the Minister of Transportation. Mr Minister, on May 2 you stated in this House, in response to my colleague Noble Villeneuve regarding the construction of the southern portion of Highway 416, that you personally met with the Honourable Art Eggleton, the minister responsible for the Canada infrastructure program, and that Mr Eggleton personally assured you that the infrastructure program had been fully committed and that there would not be any additional money coming from Ottawa for Highway 416.

I have in my hand a copy of a letter to Mr Jim Jordan, MP for Leeds-Grenville, from Art Eggleton, and I want to read two paragraphs:

“On Wednesday, May 11, 1994, when I made my statement concerning Highway 416, I was not aware of Prime Minister Chrétien's commitment to you.

“The federal government is prepared to pay one third of the cost of building the southern portion of 416, utilizing funds from the Canada-Ontario infrastructure program. The remaining two thirds of the funds would be the responsibility of the province of Ontario, with no funding required from the municipalities.”

Minister, can you tell this House today whether you do or do not have a commitment from the federal government to pay one third of the \$180-million southern portion of Highway 416?

Hon Gilles Pouliot (Minister of Transportation): I too have been favoured with a copy of the letter in question, a letter addressed to Mr Jim Jordan. You will recall, Mr Speaker, that the same Jim Jordan, MP, during the last federal campaign made a promise or a commitment that there would be federal participation vis-à-vis the 416. The province has long recognized the need to build the 416 and we've spent considerable money on the north section. But it's a vast commitment. Estimates run anywhere from \$160 million to \$190 million for the southern part.

Mr Robert Chiarelli (Ottawa West): You cancelled the commitment.

The Speaker (Hon David Warner): The member for Ottawa West is out of order.

Hon Mr Pouliot: By way of correction, when I met with Mr Eggleton a couple of weeks ago, Mr Eggleton assured me that the infrastructure money was fully committed and suggested that maybe if there were some unspent money, it could come back for consideration in the second phase.

"On Wednesday, May 11, 1994, when I made my statement concerning Highway 416, I was not aware of Prime Minister Chrétien's commitment to you." You see, Eggleton goes into Chrétien's office with his ideas and he comes out of the Prime Minister's office with Chrétien's ideas, obviously.

We welcome the commitment. Under the infrastructure program, there is little or no municipal money. We will be there. We're anxious to meet to work out the details.

Mr Sterling: Given that the letter says this money will be coming out of the federal infrastructure program funds, and we've already heard from you, and you've heard from Mr Eggleton, that the program is fully subscribed to, does the commitment from the federal government mean that new money has been found or that projects that have already been approved will be withdrawn?

Hon Mr Pouliot: Even the wisest sage in this House in terms of money, the Deputy Premier and Minister of Finance, with the highest of respect, sir, does not have answer to that question, for it is not his jurisdiction. We have a trans-Ontario highway to supplement the Trans-Canada Highway. We go it alone in Ontario, so \$60 million or thereabouts is very welcome participation, very welcome news. It's a matter of working out the details, for we must commit the better part of \$120 million, and as we have a newly found partner, it's a matter of arranging an agreement that will satisfy both parties.

Mr Sterling: I'm glad the minister is responding so favourably. Your government took the southern portion of 416 off the construction schedule. I do not believe that this government or any subsequent government will ever again receive the same kind of offer, \$60 million to \$70 million from the federal government, which I hold in my hand with regard to this letter.

The engineering work is done, as you know. So is the property appropriation. Given that projects under the infrastructure program should be completed within three years, will the minister immediately commit his government to the other two thirds of the cost of building the southern portion of 416 and get this project back on the rails?

Hon Mr Pouliot: The member is right in stating that MTO has been pursuing, aggressively so, a property acquisition program. The engineering design is well advanced indeed. When it comes to building highways, last week it was the 407: 20,000 jobs, completion in four and a half years. Now, that's a commitment, the largest contract on highways in North America.

Let me share this with you. When we talk about the 416, since 1990 it has meant 1,500 jobs and \$75 million, by 1996 it will mean \$125 million and 2,500 jobs, and the 416 is the equivalent of 6,000 additional jobs. Then

we begin to understand the importance of infrastructure.

It's a matter of working out the nuts and bolts. We might use the corporation. We will see if there is a possibility of tolling. But we must find \$120 million to supplement the newly found \$60 million, which is most welcome.

Mrs Lyn McLeod (Leader of the Opposition): I would also like to place a question to the Minister of Transportation on the same issue, but I would like my question to focus on the commitment of his government.

I remind the minister that this government, the then Minister of Transportation, now Minister of Municipal Affairs, in this House on November 20, 1990, assured our critic for Transportation that Highway 416 would be completed on time as planned and put in place by the previous government. That promise was broken no less than a year later, and there has still been no action to keep that commitment and get on with the completion of the full 416 project.

The federal government has now been prepared to look at putting money into helping this government keep the commitment this government made more than two years ago. I find it interesting that the Minister of Economic Development and Trade is now wanting to criticize the federal government for at least wanting to help her own government keep its commitments.

Minister, I ask you today, are you now prepared to give this project the green light? Are you prepared, is the government of Ontario prepared, to keep your commitment to Ottawa and the Ottawa region and complete the 416 project on time?

Hon Mr Pouliot: When there is \$60 million—which is an innovation; we haven't had this happen before—for a new initiative coming from the federal government, you will not find anyone on this side of the House criticizing; quite the contrary. A commitment has been honoured. This is cause for celebration. It's a matter of working out the details, and we're anxious to meet with Mr Eggleton. It will be done in a very, very short time. We have a new partner on the 416. All they wish to do in terms of financing is the nuts and bolts. Within a matter of days, we should be able to sit down and work out the details.

Mrs McLeod: Let me be absolutely clear about this. This is a project on which there has been one delay by this government after another, on which there has been one statement after another from a government that says it is committed to the project and to completing it on time, and then we discover it is the northern portion of the 416 that is to be completed, and not on time but a year later than was originally planned, and that up till now there has been no commitment from this government on the completion of the southern portion of the 416.

Minister, it is unprecedented that the federal government should have to step in and help your government fulfil its commitment to this particular project.

I ask you today, is this the end of the delays, the end of the stalls that say, "We can't go ahead with this unless we find private sector partners"? Are you prepared now to put the provincial money where your commitment is? Are you making a clear commitment to putting your

dollars up to complete the 416 and complete it on time?

Hon Mr Pouliot: There is a certain protocol here. The letter was not sent to me. We have had no formal communication. But you're right, I wish to evaluate from the premise, how do we do it? That's what I'm saying here. We will get together, we'll work out the nuts and bolts, with the mindset that we must get it done. We must commit ourselves in this new partnership and build the 416 in its entirety, both the northern section and the southern section. Meetings will be focused on achieving just that.

1420

WASTE DISPOSAL

Mr David Tilson (Dufferin-Peel): I have a question for the Minister of Environment and Energy, with respect to your garbage policy across this province, but specifically in the GTA.

Your northern colleague the member for Sault Ste Marie is quoted in this weekend's Sault Star—I think it was Saturday's Sault Star—saying he supports an environmental assessment of the Rail Cycle North proposal to ship garbage from the greater Toronto area to the abandoned Adams mine site in Kirkland Lake. Do you support the member for Sault Ste Marie's statement?

Hon Bud Wildman (Minister of Environment and Energy): I've discussed this with my colleague from Sault Ste Marie and I read his comments as quoted in the newspaper with interest. My understanding of his comments was that he is in favour of an environmental assessment of a proposal to transport waste to the Adams mine site. I've said repeatedly in this House and outside this House that there is nothing to stand in the way of a proponent proceeding with an environmental assessment on such a proposal.

Mr Tilson: I think the member for Sault Ste Marie went a bit further than that. What he said in the Sault Star was, "The province turning rural land into huge garbage dumps doesn't make sense." That's what he said. That's a lot further than what you said, that he's simply supporting an environmental assessment, which presumably municipalities here would pay for. That's not what he said. He simply says your policy does not make sense.

Will you commit yourself to support the member for Sault Ste Marie and remove the government policy that forces municipalities to process their waste within their borders?

Hon Mr Wildman: I attempt to support my colleague the member for Sault Ste Marie in almost all ways, except one.

ACCESS TO FAMILY SUPPORT INFORMATION

Mr Gary Malkowski (York East): I have a question for the Attorney General. As the Attorney General is aware, the only telephone access for clients of the family support plan is through the central inquiry line. However, because of the technology used, people who have a rotary dial cannot access this service and only people with touchtone can access the inquiry line. Given that the inquiry service should be available to all family support plan clients, can the Attorney General inform this House about what action is being taken to remedy this situation?

Hon Marion Boyd (Attorney General): I appreciate the question from the member for York East. He raises an important issue. The central inquiry line is set up to answer as many calls as possible, using the automated payment and enforcement information feature and access to an inquiry agent. The service is responding to over 200,000 calls per month.

The member is quite right that rotary dial phones cannot access the central inquiry line. Unfortunately, there currently is no technology available to solve that problem. However, I can tell the member that a separate number for accessing an inquiry agent will soon be available to all those FSP clients who have rotary dial phones.

I am aware, I would tell the member, that this has been an issue particularly for some rural areas. I'm pleased we're able to respond to that concern.

Mr Malkowski: I have a supplementary question that raises another issue of access to the central inquiry line. It's concerning the access to the inquiry line for people who are deaf, hard-of-hearing or disabled. Can the Attorney General tell me what, if any, arrangements have been made so that deaf, hard-of-hearing and disabled clients of the family service plan can access the enforcement and payment information available through the central inquiry number?

Hon Mrs Boyd: Yes, I am able to tell the member that a text telephone, TTY, is available in my ministry for access by persons who are deaf, hard-of-hearing or disabled. Those clients may contact the number and the information will be taken and given to staff in the family support plan. FSP staff will then investigate the issues that are raised by caller and they will reply over the TTY to the client. The number is 416-326-4012. This number will be appearing in all FSP publications as they are revised and/or reprinted. I would recommend that all members of this House have this number available in their constituency offices. Again, that number is 416-326-4012.

WASTE DISPOSAL

Mr Steven Offer (Mississauga North): I have a question for the Minister of Environment and Energy, also having to do with Tony Martin's departure from your party's position on the disposal of waste. As you know, it has now been reported that Sault Ste Marie MPP Tony Martin has said: "If an environmental assessment shows that a Kirkland Lake mine would be safe for garbage, the province shouldn't be turning valuable farm land outside Toronto to dumps."

In your previous response you said you would not be opposed to an environmental assessment hearing which includes the transportation of waste from the GTA to another area. If there is such an environmental assessment hearing which indeed permits the transportation of waste from, let us say, the Toronto area to the Kirkland Lake area, will you and your government support that decision even though it contravenes your own Bill 143? The question is, are you or are you not supportive of an environmental assessment decision which permits the transfer of Toronto waste to a place outside of the GTA?

Hon Bud Wildman (Minister of Environment and Energy): The question is somewhat premature. There

hasn't even been a hearing, much less a decision, so I can hardly support a decision.

The member asked me if I would support an environmental assessment. That is not news; I've said that repeatedly. If a proponent wishes to proceed with an environmental assessment on the transportation of waste outside of the GTA, they are quite free to do so and to proceed. Of course, the Environmental Assessment Board would have to take into account the law, Bill 143, and government policy in adjudicating the assessment proceedings.

Mr Offer: So now we've got it: The NDP caucus is split on this matter. The minister has been playing fast and loose with this issue. Minister, you have said on the one hand that you will support an environmental assessment hearing. However, if that hearing happens to rule that the waste can be transported from an area such as Toronto to an area outside of the GTA, then it must comply with Bill 143. The fact is that Bill 143 does not permit the transfer of waste.

In view of the many community groups that have said your policy is wrong and your own members who are saying your policy is wrong, that Bill 143 is wrong, are you now prepared to say that you will follow and receive an environmental assessment report and decision which indeed permits the transport of waste from the Toronto area to outside of the Toronto area? The question is clear; what isn't is your position.

Hon Mr Wildman: I remain committed, as I said I was in my previous answer. The question is just a repetition of the previous answer.

I would make one point, though. Perhaps unlike our colleagues across the aisle, in this caucus we believe that individual members of caucus can freely express their views without being muzzled. To say that my colleague the member for Sault Ste Marie should not be able to express his own personal view I think is repugnant.

1430

BUSINESS IN ONTARIO

Mr David Johnson (Don Mills): My question is to the Minister of Economic Development and Trade. Minister, I'm very concerned about the image of Ontario as a place to do business, as a good place for business expansion and a good place to create jobs.

You must hear the concerns that are expressed on a day-to-day basis, concerns about high taxes. I'm not just talking about one tax; I'm talking about the whole package of taxes. I'm talking about health premiums that have gone up 80% and workers' compensation premiums that have gone up 40% during the same period of time that salaries have only increased by 20%. I'm talking about the debt load, the problem that business has with the debt load in the province of Ontario. I'm talking about labour legislation and the red tape that is a hindrance to business in our province. These are killing opportunities for new jobs. The economy of Ontario has been very slow and very painful to grow.

My question to you is, do you recognize the lost opportunities for business growth and job creation that we are experiencing in Ontario, and are you prepared and

have you, around the cabinet table, fought for the measures that are required to promote business: reduction in taxes, cutting expenditures and cutting the red tape in Ontario?

Hon Frances Lankin (Minister of Economic Development and Trade): The member opposite has asked questions on similar things, as have members of his caucus before, and I have responded on a number of those points, and I'll try, in summary form, to run through it.

Those very items have often been in discussion around the cabinet table and in caucus. The member will know, for example, both in terms of our belief in the need to preserve the sustainability of medicare and also to deal with issues of government expenditures, that this government brought health care expenditures from a decade-long experience of double-digit growth year after year after year, on a \$17-billion budget, one third of government expenditures, from that double-digit growth down to less than 1% for the last two years and less than 2% the year before that, an amazing turnaround in that.

It was accomplished through some very difficult restructuring initiatives, but we've done that because we believe both in the sustainability and also in the arguments that the member makes around the overall tax burden and the deficit level.

With respect to the Workers' Compensation Board, we also believe there needed to be initiatives to bring that unfunded liability under control and sustain rates into the future.

With respect to energy cost, there's been a major restructuring which has brought about a freeze and then no less than inflation in growth in energy rates, a major turnaround from the years before that has been experienced here.

With respect to red tape, the clearing-the-path initiative announced in the budget in terms of the implementation of it will move a great distance with respect to dealing with small business concerns.

So all of those things that the member said are in fact things that we have talked about. What we believe is that we have struck the commonsense balance as opposed to the American Revolution suggestion.

Mr David Johnson: To help the minister, can I suggest a couple of other things that have happened? There will be about 80,000 fewer people working in the province of Ontario when this government expires in 1995, more than likely, than there were when you took office in 1990; about 80,000 fewer people employed in the province of Ontario, by your own numbers.

The debt in the province of Ontario will have more than doubled, from under \$50 billion to over \$90 billion. These are tragic.

The business community is not looking for tinkering; the business community is looking for a clear signal that this province welcomes business, encourages job creation.

Minister, what is required are actions, such as the Common Sense Revolution, real actions: 30% reduction in personal income tax, payroll tax reductions, 20% cut in government expenditures, the elimination of the deficit. This is what is required in the province of Ontario, and

I'm asking you, as the minister responsible, will you fight in the cabinet for tax reductions—

The Speaker (Hon David Warner): Could the member place his question, please.

Mr David Johnson: —for cuts in expenditures, for job creation and business growth in the province of Ontario? Will you fight for those, Minister?

Hon Ms Lankin: I think that I've indicated on a number of occasions the steps this government has taken, and I believe very strongly they are the correct steps and the correct balance.

The member talks about unemployment in the province, and of course we have seen devastating numbers with respect to unemployment through this recession and through a number of issues around adjustments, the new trading relations taking place etc. But the member suggests and puts that forward in a way that it was somehow unique to Ontario. May I suggest to the member that he check the numbers and take a look at what is happening right across this country.

One of the numbers which I think would be very useful to look at is the fact that right now unemployment in Ontario is down, net, about 24,000 while across Canada it's only down, net, about 12,000. Why? Because there are other jurisdictions that are not seeing an increase in the number of jobs being created. In fact, every day they are still losing jobs. So right across Canada, the situation is very difficult with respect to unemployment, but the best growth, right now and projected for the future, is Ontario.

With respect to this member and his comment about his party's American Revolution, I didn't quite realize how American it was until I had an opportunity to read a very interesting editorial.

The Speaker: Could the minister conclude her reply, please.

Hon Ms Lankin: I will, Mr Speaker. With respect to the decreases on income tax that he just talked about, I'll just make one quote and then I'll wrap up.

Mr Chris Stockwell (Etobicoke West): Bunch of Americans; come on.

The Speaker: Order, the member for Etobicoke West.

Hon Ms Lankin: Sitting right here, it says, "As his own figures show, the tax cuts Harris is proposing would save someone with an income of \$25,000 about \$850 a year, while an individual earning three times as much would save \$2,922." Reaganomics, the trickle-down theory.

The Speaker: The question's been answered. Would the minister take her seat.

YOUNG OFFENDERS

Mr Larry O'Connor (Durham-York): My question is for the Attorney General. Minister, quite often we'll grab the Toronto newspapers or one of the daily newspapers and we'll read that there's growing crime among young people. My constituents want to know, is this the Young Offenders Act only? Is that what the problem is?

They read about this. They hear about the gangland-style happenings in the schools, youth gangs are out

there, and they want to know whether there really is a change happening with our youth. Is it the Young Offenders Act that really is driving all this? Is there a huge number of young people out there in our schools who are now turning to violence as a way of life, and is the Young Offenders Act really responsible for all of this change?

Hon Marion Boyd (Attorney General): I want to thank the member for raising such an important question because I think everybody in the province is concerned about this perceived increase in crime.

What we need to be very aware of is that there certainly is a huge increase in the reported crimes by young people. More data are used to describe the nature and extent of youth crime and that relates only to the youth that are involved. This is important because there are real variations as you look across the province in the rate of reporting offences, the decision to lay charges and the use of alternatives to court, and that can distort the apparent crime picture substantially.

For example, since we began our action as a government against violence in schools, many school jurisdictions have adopted a zero tolerance initiative which relates to bullying in the school yard and fights. They now report all those occurrences to the police and then the police make a decision as to whether or not they will charge, and that certainly changes the statistics.

According to the statistics developed by the Canadian Centre for Justice Statistics, there has been a trend towards police laying more charges more frequently in cases of crimes that are committed by youth in Canada since the Young Offenders Act was put into place, and it's important because the evidence suggests that the police have changed their charging practice—

The Speaker (Hon David Warner): Could the minister conclude her response, please.

Hon Mrs Boyd: —since 16- and 17-year-olds became the jurisdiction of the juvenile justice system which was created by the Young Offenders Act.

1440

Mr O'Connor: Minister, to help me pull this together then, our friends up there from the media, is it that they're painting the picture more graphically? Are there more violent crimes happening? Is that a problem? Is it the way that it's being report or is there an increase? Is there an actual increase in violent crimes happening in our schools?

Hon Mrs Boyd: The member should know that the proportion of all persons who are charged who are youths has remained substantially unchanged over the past seven years; 62% of young offenders are charged with property offences, and almost half of those are charged with theft under \$1,000. You need to have that perspective.

With respect to violent crime, there are three levels of offences, as I think the member knows. Assault level 1 offences involve no weapon or no serious injury, and in 1992, 15% of all young offenders who were charged with a violent crime were charged with the level 1 offences.

The offences resulting in the most serious personal injury accounted for only 2.4% of the youths who were

charged with a violent offence. These charges could include crimes like homicide, like attempted murder or sexual assault. Those are very serious crimes, and even if it is only 2.4% of the charges, it is very serious.

The Speaker: Could the minister conclude her response, please.

Hon Mrs Boyd: We need to recognize that this is so and take action accordingly.

HEALTH INSURANCE

Mrs Barbara Sullivan (Halton Centre): My question is to the Minister of Health. Minister, you will know that on Thursday, April 28, your caucus held a meeting with representatives of a number of seniors organizations. At that meeting there was no information at all passed on on your unilateral decision to change the payment mechanism for out-of-country emergency coverage.

At 4 o'clock that same afternoon you issued a news release announcing the cuts and the change to the system. When did you make this decision, apart from the discourtesy that was involved to the seniors groups, and on what advice did you make the decision since it's apparent that there was absolutely no consultation with any of the seniors groups that appeared with your caucus?

Hon Ruth Grier (Minister of Health): As our government has struggled with its preparation for this year's budget, a budget where the Minister of Finance had made the commitment that we would attempt to maintain jobs, expand our infrastructure spending, reduce the deficit and not impose any new taxes, we had extensive discussions as to how we can better manage all of our open-ended programs, particularly those in the health care system and in Community and Social Services, in a way that would maintain as far as possible the level of standards and services for the most number of people possible and at the same time get away from the kind of double-digit increases in spending that had been the practice during the term of the previous government and during the 1980s, which I think most people in Ontario agree we can no longer afford. During those discussions, examination of our out-of-country health care spending was very much part of the agenda.

Mrs Sullivan: You're not controlling spending at all, Minister. At the time that you introduced this policy, you told this House that you were following the example of some—a few but not all—of the other provinces. You will know that the federal Minister of Health has issued warnings to those provinces that are contravening the Canada Health Act that their transfer payments will be reduced as a consequence of their not following the Canada Health Act.

Your decision clearly contravenes section 11 of the Canada Health Act and it's an infringement of the Charter of Rights and Freedoms under section 6 of the charter.

If you proceed with this policy, you will lose the \$100 million that you indicated to this House that you will be saving otherwise. In fact, this is a lose-lose situation.

I'm asking you again if you will withdraw this badly crafted, badly thought-out policy and support all of medicare's principles, including the guarantee of portability.

Hon Mrs Grier: As so often happens, the statements

that the member makes in this House are not quite correct. The federal government has not in fact said to the provinces whose payment for hospital beds outside this country is at the same level or lower than ours that this is a contravention of the Canada Health Act.

All of the provinces and the federal government established a committee last fall to begin to look at some of the inconsistent interpretations of the Canada Health Act. I can assure the member, as I have assured anybody else who's asked me, that should that come to the conclusion that Ontario is in violation of the Canada Health Act, we would certainly be prepared to re-examine our policies.

But let me say to the member that when she says we haven't contained health care costs, she is absolutely and completely wrong, yet again. In fact, through our containment of health care costs, we were able to say to the seniors of this province, "You can remain the only seniors in the country who do not have a copayment for your drugs." We were able to say to the people of this province suffering from cancer that we could put an extra \$15 million into cancer treatment to reduce waiting lists in this fiscal year. We are able to say that as a public health initiative, we will immunize every grade 7 student in this province against hepatitis B. Those are the kinds of advances and improvements we are making in the health care system as a result of the way we're managing it these days.

ASSISTED HOUSING

Mrs Margaret Marland (Mississauga South): My question is for the charming Minister of Housing. I'm sure the minister had brought to her attention a story in yesterday's Sun about the non-profit housing corporation in Peterborough known as Sunshine Homes. In this story by James Wallace, it is reported that the board hired then-president Christl Steckel's son Peter as its maintenance superintendent. Janet Steckel, Peter's wife and Christl's daughter-in-law, was also on the board. The non-profit board awarded contracts to a company run by Janet and Peter Steckel for landscaping, snow-clearing and unit repair. The board improperly lent Peter Steckel \$1,796 so he could buy equipment to carry out the work at the housing project. Do you approve of this, Madam Minister?

Hon Evelyn Gigantes (Minister of Housing): The audit was conducted, as are all the audits conducted by the Ministry of Housing, because there was a concern by the ministry about affairs in that particular development. The audit made recommendations; the recommendations have been followed.

Mrs Marland: What concerns us is that every day we hear of another non-profit housing corporation that has a problem. We've got thousands out there in this province that haven't yet been audited. I'm very interested in the fact that in the minister's response she says that they carried out the instructions of the auditor. However, we now know that isn't so. "The auditor also found the board understated the surplus in its bank accounts and didn't keep proper records."

Apparently, Christl Steckel said that both the board and the government knew what was going on. "A key recom-

mendation by the auditor called for Christl and Janet Steckel to resign. The government disagreed and allowed Christl Steckel to remain on the board." Madam Minister, I ask you again, your ministry obviously condoned what was going on in yet another non-profit housing corporation.

Hon Ms Gigantes: I don't think that was a question, but if it was, it was wrong.

ALTERNATIVE FUELS

Mrs Ellen MacKinnon (Lambton): My question today is directed to the Minister of Agriculture, Food and Rural Affairs. The minister will know that it's well known that this government continues to support the further development of an ethanol industry in Ontario.

The recent announcement by the ministers of Economic Development and Trade and of Agriculture, Food and Rural Affairs to add certainty to the value of the current provincial tax exemptions is another example of this government's commitment to economic development in rural Ontario.

Ontario corn producers in rural communities in south-western Ontario now await a matching federal response to the request from potential investors in an ethanol plant in Chatham for greater certainty regarding the federal excise tax. Given the potential employment and economic benefits generated by ethanol plants, what steps is the Minister of Agriculture, Food and Rural Affairs taking to ensure that the federal government will also support the Chatham ethanol project?

Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs): I thank the member for the question. She is quite correct. The provincial government since 1980 in this province has supported the ethanol industry by having an exemption from the gasoline tax. In Ontario, it's 14.7 cents per litre. In 1992, the federal government saw the wisdom of that policy and it also granted an exemption for methanol and ethanol to the tune of 8.5 cents per litre.

The Ontario government went further than that. We spent some time looking at ethanol as an industry to create jobs and provide opportunities for the sale of corn in rural Ontario. In February this year, we announced that we would guarantee the continued tax holiday on ethanol until the year 2010 on a project-by-project basis. This meant that private business—in fact, we have a company that's interested in setting up an ethanol plant in Chatham and we're very pleased with that investment. It was based on our continuing to provide that exemption.

1450

Mrs MacKinnon: As the minister has noted, there has been an increasing amount of concern raised over ethanol by the Canadian Petroleum Products Institute following the provincial announcement. How is the minister responding to these concerns?

Hon Mr Buchanan: The first point I'd like to make is that my counterpart, the Honourable Ralph Goodale, the Liberal Minister of Agriculture in Ottawa, has been very supportive. We continue to write letters to him and talk to him about supporting a project, particularly at Chatham, and other projects that might come forward.

The petroleum industry, that industry that believes in competition and free enterprise, apparently has decided that having ethanol as a competitor as a renewable fuel is not good for the industry. We don't think that is the case.

We've certainly talked to our colleagues in Ottawa, and I would encourage my colleagues across the way, particularly in the Liberal Party. They passed another resolution on the weekend, after four days of debate, saying they support the ethanol industry and economic renewal in rural Ontario.

I think it's time, because we've been told on many occasions by the alternative fuels group that the federal cabinet in Ottawa was going to make a decision on supporting the ethanol industry, so I would encourage my colleagues across the way to talk to their counterparts in Ottawa about the importance of ethanol. I hope they've already done that so we can continue to have good investment opportunities for jobs in rural Ontario in this province.

The Speaker (Hon David Warner): A point of order, the member for Mississauga North.

Mr Steven Offer (Mississauga North): Mr Speaker, I would like to indicate my dissatisfaction with the response given to me by the Minister of Environment and Energy to my question earlier in question period, and I will be filing the necessary papers.

The Speaker: I knew the member would do that. The Minister of Environment and Energy.

Hon Bud Wildman (Minister of Environment and Energy): I know the member is quite within his rights to file such a statement of dissatisfaction and request a late show. I just want to inform him and the House, unfortunately I will be leaving this afternoon to go to Quebec City to attend the interprovincial ministers' meeting, along with aboriginal leaders, for the next two days and so will be unavailable. If the member would like to wait until Thursday or next week, when we might be able to do this.

The Speaker: As has been the practice in this chamber, if the two members involved had an opportunity to communicate with each other outside of the chamber, perhaps a suitable arrangement could be arrived at.

PETITIONS

KETTLE ISLAND BRIDGE

Mr Gilles E. Morin (Carleton East): I have a petition addressed to the Parliament of Ontario:

"Whereas the government of Ontario has representation on JACPAT (Joint Administrative Committee on Planning and Transportation for the National Capital Region); and

"Whereas JACPAT has received a consultants' report recommending a new bridge across the Ottawa River at Kettle Island which would link up to Highway 417, a provincial highway; and

"Whereas the city and regional councils of Ottawa, representing the wishes of the citizens in the Ottawa region, have passed motions rejecting any new bridge within the city of Ottawa because such a bridge and its access roads would provide no benefits to Ottawa but would instead destroy existing neighbourhoods;

"We, the undersigned, petition the Parliament of Ontario as follows:

"To reject the designation of a new bridge corridor at Kettle Island or at any other location within the city of Ottawa core."

I will affix my signature to the petition.

HEALTH INSURANCE

Mrs Barbara Sullivan (Halton Centre): I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas the Ontario government has announced its intention to reduce emergency coverage for out-of-country health care on June 30, 1994;

"Whereas the citizens of Ontario are entitled to health coverage, no matter where they are, with payment made on the basis of the amount that would be paid for a similar service in the province;

"Whereas the Canada Health Act entitles all Canadians to health care on an equal basis;

"Whereas this decision by the Minister of Health is in direct contravention of the Canada Health Act;

"We, the undersigned, petition the Legislature of Ontario to ensure the Minister of Health follow the provisions of the Canada Health Act and prevent further erosion of our health care system in Ontario."

I happily affix my signature to this petition.

SEXUAL ORIENTATION

Mr Ted Arnott (Wellington): I have a petition to the Legislative Assembly of Ontario. It reads as follows:

"Whereas traditional family values that recognize marriage as a union between a man and a woman are under attack by Liberal MPP Tim Murphy in his private member's Bill 45; and

"Whereas this bill would recognize same-sex couples and extend to them all the same rights as heterosexual couples; and

"Whereas the bill was carried with the support of an NDP and Liberal majority but with no PC support in the second reading debate on June 24, 1993; and

"Whereas this bill is currently with the legislative committee on the administration of justice, and is being readied for quick passage in the Legislature; and

"Whereas the bill has not been fully examined for financial and societal implications;

"We, the undersigned, petition the Legislative Assembly of Ontario to stop this bill and future bills which would grant same-sex couples the right to marry, and to consider its impact on families in Ontario."

I am in total agreement with this petition and I have affixed my name to it.

NIAGARA ESCARPMENT

Mr Noel Duignan (Halton North): I have a petition signed by several hundred members of the Bruce Trail club and other members living on the Niagara Escarpment.

"We, the friends of the Niagara Escarpment, wholeheartedly support Noel Duignan's private member's Bill 62, An Act to amend the Environmental Protection Act in respect of the Niagara Escarpment."

As you can see, Mr Speaker, I wholeheartedly agree with this petition and I will sign it.

EDUCATION FINANCING

Mr Tony Ruprecht (Parkdale): I have a petition to the Legislative Assembly of Ontario.

"Whereas all students are entitled to the same educational resources regardless of where they live or which school they choose to attend; and

"Whereas most Catholic school boards and rural school boards do not have the assessment base of their public school or urban school board counterparts; and

"Whereas these assessment-poor schools are able to spend far less on each of their students than assessment-rich boards;

"We, the undersigned, petition the Legislative Assembly of Ontario to act now and restructure the way in which municipal and provincial tax dollars are apportioned, so that Ontario's schools are funded, not only fully, but with equity and equality."

I will affix my signature to this document.

EMERGENCY SERVICES

Mrs Irene Mathyssen (Middlesex): I have a petition from Middlesex constituents who utilize emergency services at Four Counties General Hospital in the village of Newbury. Some 16,000 people in the Four Counties area are dependent upon the services at Four Counties General Hospital. They petition the Legislative Assembly:

"To call upon the Ministry of Health and the Ontario Medical Association to resolve the issue of 24-hour emergency medical coverage in rural emergency departments and to ensure that rural residents have the adequate emergency care to which they are most certainly entitled."

I've signed my name to this petition.

TOBACCO PACKAGING

Mr Steven Offer (Mississauga North): I have a petition from the Council for a Tobacco-Free Region of Peel and it is to the Legislative Assembly of Ontario. It is in support of plain packaging of tobacco products and it reads:

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains the provision that the government of Ontario reserves the right to regulate the labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces, rather than act on its own, to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across

interprovincial boundaries makes a national plain packaging strategy the most efficient method of protecting the Canadian public;

"Therefore we, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

I affix my signature to this petition.

1500

VIDEO GAMES

Mrs Elizabeth Witmer (Waterloo North): I have a petition here, three pages, that has been sent to me by Claudia Kempster from Waterloo. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Theatres Act was amended in 1981 with the intention of keeping certain viewing materials away from children and advances in technology have occurred to such an extent that the concern for children covered by this legislation is negated as it does not cover electronically produced images that are part of video and computer games; and

"Whereas there has been a disturbing increase in the proliferation of violent and sexually explicit video games; and

"Whereas the government of Ontario should be making every effort to regulate the distribution of adult video games and ensure that games designed for adults are clearly marked as such; and

"Whereas Bill 135, the Theatres Amendment Act, 1993, a private member's bill introduced by Waterloo North MPP Elizabeth Witmer, would amend the definition of 'film' so that the electronically produced images that are part of video and computer games come within the purview of the act, particularly the classification system,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That Bill 135 be passed by the Legislative Assembly of Ontario as quickly as possible."

I here do affix my signature.

FIREARMS SAFETY

Mr Gary Wilson (Kingston and The Islands): I have a petition here:

"To Ontario Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own,

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

This is signed by about 130 people in my area.

SEXUAL ORIENTATION

Ms Dianne Poole (Eglinton): I have petitions with approximately 400 signatures on them, and a number of them are from my constituency of Eglinton.

"To the Legislative Assembly of the province of Ontario:

"Whereas it is a basic right of every adult human being to form a committed spousal relationship with another person of their choice under the protection of the law and without discrimination based on the gender of the individuals; and

"Whereas persons in this province who are members of same-sex families are improperly denied basic fundamental protection, freedoms, rights and advantages accorded to families solely because they are not of opposite sexes; and

"Whereas Ontario courts and tribunals, the Ontario Law Reform Commission and the Parliament of Europe have found that distinctions based on the gender of family members are unfair; and

"Whereas an incorrect perception has been generated that members of Christian faith communities oppose ending such discrimination,

"We, the undersigned, as members of Christian faith communities, support the extension of full benefits and responsibilities accorded to heterosexual couples to persons in established same-sex relationships."

I've affixed my signature to these petitions.

TOBACCO PACKAGING

Mr Robert W. Runciman (Leeds-Grenville): I have a petition with several hundred names, a petition circulated by the Downtown Business Improvement Area in Prescott, addressed to the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly to not proceed with the plain packaging provisions of Bill 119, the Tobacco Control Act, until a full economic impact study is completed and a thorough analysis of what, if any, health benefits will be derived."

I'm affixing my signature.

Mr Gary Wilson (Kingston and The Islands): I have a petition to the Legislative Assembly of Ontario in support of plain packaging of tobacco products.

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains the provision that the government of Ontario reserves the right to regulate the

labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces, rather than act on its own, to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across the interprovincial boundaries makes a national plain packaging strategy the most effective method of protecting the Canadian public;

"Therefore, we, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

That's signed by nearly 30 people in my riding.

SEXUAL ORIENTATION

Mrs Elizabeth Witmer (Waterloo North): I have a petition here from Messiah Lutheran Church in Waterloo:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Bill 45 will change the meaning of the words 'spouse' and 'marital status' by removing the words 'of the opposite sex.' This will redefine the family as we know it.

"We believe that there will be an enormous negative impact on our society, both morally and economically, over the long term if fundamental institutions such as marriage are redefined to accommodate homosexual special-interest groups.

"We believe in freedom from discrimination, which is enjoyed by everyone by law now. But since the words 'sexual orientation' have not been defined in the Ontario Human Rights Code, it may include sadomasochism, paedophilia, bestiality etc, and since sexual orientation is elevated to the same level as morally neutral characteristics of race, religion, age and sex, we believe all such references should be removed from the code.

"Therefore, we request that the House refrain from passing Bill 45."

It has been signed by about 40 people.

INTRODUCTION OF BILLS

CITY OF STONEY CREEK ACT, 1994

On motion by Mr Morrow, the following bill was given first reading:

Bill Pr62, An Act respecting the City of Stoney Creek.

ORDERS OF THE DAY

Hon Brian A. Charlton (Government House Leader): Just before I call the first order, I believe we have an agreement, so I'll seek consent for that agreement from the House. In the consideration of Bill 120, the government will take 10 minutes of time and the two opposition parties will split the remaining time.

In the consideration in committee of the whole House of Bills 110 and 138, any votes will be stacked and deferred until 5:45, and we would proceed into committee of the whole after the vote on Bill 120.

The Speaker (Hon David Warner): Agreed? Agreed.

RESIDENTS' RIGHTS ACT, 1994

LOI DE 1994 MODIFIANT DES LOIS

EN CE QUI CONCERNE

LES IMMEUBLES D'HABITATION

Ms Gigantes moved third reading of Bill 120, An Act to amend certain statutes concerning residential property / Projet de loi 120, Loi modifiant certaines lois en ce qui concerne les immeubles d'habitation.

The Speaker (Hon David Warner): Does the minister have any opening remarks?

Hon Evelyn Gigantes (Minister of Housing): If I could, Mr Speaker, I'll reserve my comments till the end. Thank you.

The Speaker: Any debate? I recognize the honourable member for Mississauga South.

Mrs Margaret Marland (Mississauga South): Today Bill 120 will pass third and final reading. As a result, municipalities will no longer be able to use zoning bylaws to restrict the location and number of apartments in houses. As well, thousands of care homes ranging from retirement residences to homes that provide specialized care to vulnerable persons will be regulated by the Landlord and Tenant Act and related laws.

1510

The Minister of Housing will no doubt party tonight, but there are hundreds of thousands of Ontarians who will not celebrate the passage of Bill 120. They are the people whose concerns the government has ignored: home owners, transitional housing for abused women and teenaged mothers, care homes and the residents they serve, fire chiefs, municipalities, and the list goes on and on.

On behalf of the thousands of people who have found flaws in Bill 120, I tabled 40 amendments to the bill. Only one of my amendments is included in the final version of Bill 120. That tells you what utter disregard the government has for the critics of its bill and its ideology.

Among those who oppose Bill 120 are the residents and operators of transitional or second-stage housing, such as the Emily Murphy second-stage residences in Stratford, which offer abused women and their children protected and supportive accommodation while they rebuild their lives.

Two conditions are critical to the success of second-stage housing. First, the residents can live in second-stage homes for a limited time so that the homes will continue to be available to other families that are recovering from domestic abuse; second, house rules restrict male visitors, since many women in second-stage housing continue to be threatened by their former partners.

These are also the concerns of the Massey Centre for Women, which, among other programs, provides transitional housing to single teenaged mothers. Many of these young mothers are still children themselves. They are

continuing their education while learning to care for themselves and their infants. They often come from abusive situations. They may have lived on the streets. They may have been threatened by violent partners, drug pushers or pimps. For these teenagers, there must be restrictions on the period of occupancy and strict house rules. The Emily Murphy second-stage residences and the Massey Centre for Women are threatened by Bill 120.

The government did amend the bill to address one of their concerns: restrictions on the period of occupancy. These programs can ask residents to leave if the program lasts two years or less and the term of the program has expired.

However, the NDP government refuses to recognize that strict house rules, which are not allowed under the Landlord and Tenant Act, are critical to the success of these programs. The Minister of Housing says, "Call the police if an unwanted visitor won't leave." But how likely is an abused woman to call the police if someone who had repeatedly beaten her up is in her apartment and threatening her? What is more, these programs will not be able to prevent men from moving into the women's residences.

Let's face it: Bill 120 just won't work for second-stage residences and the Massey Centre. The minister would rather put these programs in jeopardy than swallow her pride and exempt them from the bill. Why, we have to wonder, does her government want to jeopardize the very programs it funds and promotes? Perhaps to save money.

In congregate living situations where facilities are shared by several residents, there need to be more rules than in apartment buildings with self-contained units. Other specialized programs also have told us that under the Landlord and Tenant Act, many of their rules would no longer be permitted, thus jeopardizing their programs.

For instance, Ecuhome, which operates under the leadership of seven churches and is dedicated to housing homeless people, allows residents to set their own terms of living cooperatively. This form of governance conflicts with part IV of the Landlord and Tenant Act.

Another problem that affects all care homes is the lack of a fast-track eviction process for tenants who become a threat to their co-residents and whose care needs surpass what the home can provide. Dr Ernie Lightman recommended such a process in his report on unregulated tenancy, as did many parties that made submissions on Bill 120.

I realize fast-track eviction is contentious because of the potential for abusing the process, but there can be no doubt that such a process is needed in many circumstances. For example, between 60% and 70% of Ecuhome's residents are recovering from drug or alcohol abuse. The ability to live in a dry setting is essential to the recovery of many. The continuing presence of a person who breaks the no-alcohol rule threatens the health and future of all residents who have a history of substance abuse, but there will be no quick way to evict a resident who insists on breaking this house rule.

The minister has said the eviction measures in the Landlord and Tenant Act are adequate. I beg to differ. It

takes a few months to get a writ of possession, and if the tenant appeals the decision, it could take up to a year to evict the tenant.

I could go on and on about programs that are threatened by Bill 120. There are the special care homes which house former psychiatric patients. There are non-profit homes for persons with developmental disabilities. These programs provide supportive housing to some of the most vulnerable members of society. Their successful operating arrangements are impossible under the Landlord and Tenant Act. I ask the government again: If it isn't broken, why fix it?

While I could say a great deal more about the care home provisions of Bill 120, I must use my remaining time to address the second half of the bill, which allows one apartment in practically every detached, semi-detached or row house in Ontario. This half of Bill 120 has undergone no changes other than to add financial penalties for offences and to clarify that a garden suite can contain just one unit.

I will briefly address the concerns of home owners, tenants and municipalities with respect to the accessory apartment measures. Today's passage of Bill 120 sounds the death knell for Ontario's neighbourhoods of single-family homes. The Minister of Housing says single-family-home zoning is snob zoning. She discredits the views of hundreds of thousands of Ontarians who chose to buy homes in single-family neighbourhoods. Home owners are worried that Bill 120 will devalue the biggest investment of their lifetime. They paid a premium for a single-family home and they expect at least to have a say in changes to the zoning of their neighbourhood rather than the NDP government's dictatorial approach.

Home owners' concerns are valid and real. Several presentations to the general government committee came from residents and municipal officials in areas where accessory apartments have caused serious problems already. Many of these problems—for instance, too many tenants in one unit, poor maintenance, excessive noise and violations of property standards—could be prevented by restricting accessory apartments to owner-occupied homes. However, the government would not consider my amendment suggesting this restriction either.

Home owners are not experts in landlord and tenant law. Many will rent out accessory apartments without fully understanding their rights and responsibilities as landlords. They will just think: "Great. Here's a way to help pay for the mortgage." But what if the home owner rents to the tenant from hell who does not pay the rent, parties through the night on a regular basis or smokes in a non-smoking home? Eviction proceedings can take as long as a year. That is enough time for a home owner to default on his or her mortgage.

How many home owners realize that a tenant can deny the home owner access to the apartment to show it to prospective buyers? An uncooperative tenant can make it virtually impossible to sell a home.

How many purchasers of homes containing apartments realize they are restricted by the levels of rent set by the previous owners, even if those levels are far less than what the market will bear?

Another rent control issue is how to finance the cost of renovating or repairing an accessory apartment. If the apartment needs a lot of work, the home owner will not be able to recover the costs through rent revenues. If the home owner can't afford necessary repairs, he or she will have no choice but to shut down the unit.

Having looked at some of the implications of Bill 120 for home owners, let us consider the tenants. Even after legalizing accessory apartments, there is no guarantee that these apartments will be safe, decent housing. This year we have had four deaths from two basement apartment fires in Mississauga. The government has ignored most of the recommendations that arose from both coroners' inquests into these tragedies.

For instance, Bill 120 does not mandate the inspection of existing accessory apartments. It does not establish municipal registries of accessory apartments for the use of bylaw enforcement officers and fire and police departments. The bill's requirement for obtaining a search warrant is unworkable, according to municipal officials and fire chiefs.

The government had a chance to improve fire safety, it had a chance to pass the amendments I introduced, but it did nothing. Indeed, the government's changes to the fire code for accessory apartments were ready one year ago but have yet to be implemented. We can't help wondering if making the fire code changes sooner could have prevented several deaths from basement apartment fires. As far as I'm concerned, that is on the shoulders of this government, not this party.

1520

It is not too late for other legislative changes to improve safety in the event of a fire. If the government requires inspections of accessory apartments as a condition for granting a mortgage or insurance, this would help ensure that these apartments are safe. I hope the government will introduce such legislation as soon as possible.

In my remaining minutes, I want to address the municipal concerns about Bill 120.

Today, with one stroke of its ideological pen, the NDP is eliminating decades of municipal planning. No longer will local government, the level of government that is closest to the people, be able to plan for the future of residential neighbourhoods. The NDP government is moving Ontario another step towards centralized, Big Brother control of our lives.

The government is ignoring millions of dollars that municipalities have already spent to implement the Land Use Planning for Housing policy statement, which set goals for intensification but left it up to the municipalities to decide how to meet those goals.

Ironically, the government is even ignoring the recommendations of its own Sewell commission that the province should set policies and let the municipalities decide how to implement them.

Bill 120 will result in the downloading of costs from the province to local levels of government, possibly resulting in property tax hikes. There will be no way to ensure that the property tax assessment of a home containing an accessory apartment is any higher than the

assessment of a similar house with a finished basement that is occupied by the home owner.

The province has also made it clear that it will not allow development charges for the creation of accessory apartments in existing homes. If there are additional costs for services to the residents of accessory apartments, municipalities and school boards will have to pass on those costs in two possible ways: by raising property taxes or by increasing development charges for new homes. Either option will impede this province's fragile economic recovery.

Municipalities will also have to incur many other costs. There will be an increased demand for inspections to ensure compliance with the building and fire codes and other property standards. But who pays for the inspections? The municipalities, through property tax revenues. Similarly, large bureaucracies may be needed to process the search warrants that officials will require before entering apartments when violations of safety standards are suspected. Again, the municipalities and their property taxpayers will foot the bill.

There is one more section of Bill 120 to address: measures which permit municipalities to approve the placement of garden suites, or granny flats, for up to 10 years. I introduced amendments that would restrict the occupancy of garden suites to disabled or senior relatives. Without such restrictions, I fear that garden suites will not be accepted and will not be an option for helping seniors and disabled persons live in relative independence near their families.

Another barrier to the acceptance of garden suites is their appearance. The government does not intend to make regulations for garden suites. Without regulations, it is unlikely that these units will be attractive, further hindering their acceptance as a housing option for seniors and disabled persons. Furthermore, without uniform standards, it will be hard to establish an industry to produce garden suites.

In summary, Bill 120 is fatally flawed. The irony is that instead of producing more affordable housing, the bill may do just the opposite. People will decide that it is not worth the regulatory hassle to establish a care home. Home owners will shut down accessory units because they have no way to recover the costs of necessary repairs. Rent control will dampen the availability of care homes and accessory apartments, just as it has led to an inadequate supply of rental apartments in larger buildings. When it comes to creating affordable housing, the government has shot itself in the foot.

Our concerns as the Progressive Conservative caucus in Ontario are also around the process with which Bill 120 has been handled. We had in excess of four weeks of public hearings to ask the public to come before the all-party standing committee of this Legislature and give their comments and their input to this legislation. Unfortunately, this government has chosen to ignore that input in the most serious areas that I have addressed in my comments this afternoon.

We feel that if you really are sincere about asking the public for input and you subject the taxpayers to the expense that represents, because holding public hearings

for a month when the House isn't sitting does cost thousands and thousands of dollars, and then you choose to turn around and ignore those comments, it makes an absolute sham of the process.

Then, to end the whole mismanagement of this bill, we end up with a closure motion, which means that this government decided that after the public hearings, it would not let us work through the bill clause by clause to place our amendments and address the concerns of the public. If the minister didn't wish to do that, that's her choice, but certainly both opposition parties had a number of amendments they wished to place to try to address the concerns of the public. But this government decided that it would not allow us that privilege, that democratic right to represent the concerns of the people who have elected us, but would move a closure motion which limits the debate.

In this case, it was an appalling situation, because we were not even at the end of the session. It wasn't as though we were out of sitting time of this Legislature and this bill had to be rammed through in the last few days of a sitting. That closure motion was placed in excess of two months before the end of this sitting of this House, and here we are today on third reading with our 20 minutes, each caucus, to speak.

Quite frankly, I hope I never have to be part of a process again that I have been part of with Bill 120. Hopefully, this government will never be here long enough to bring, first of all, an omnibus bill which deals with two very serious areas of legislation impacting thousands of people in this province, and to bring those two matters together in one omnibus bill so that it could shuffle them through, one on top of the other, instead of giving each matter independent legislation.

Originally, Mr Speaker, as I know you are aware, we did have an individual bill dealing with basement apartments. This government decided it would change that bill and add to it the other section dealing with care homes. It was their way, in our opinion, of ramming two things through at once, both of which they know are not acceptable to the majority of people in this province. They will find out at the next election just how unacceptable and how strongly rejected Bill 120 is by the majority of people in this province. I regret the fact that very serious, much-needed programs for the most vulnerable people in our society will not be able to continue once this bill is enacted.

I will leave the remainder of my time, Mr Speaker, for my colleague.

The Acting Speaker (Mr Noble Villeneuve): Further debate on third reading?

Mr Joseph Cordiano (Lawrence): I would like to start my comments by suggesting to you, Mr Speaker, that it's regrettable that at the end of the day, our party is unable to support Bill 120 and some of the very good and useful recommendations that were put forward by Dr Ernie Lightman, who I note is in the Speaker's gallery today. His good work and many of the recommendations he put forward in extending rights to the most vulnerable citizens in our province unfortunately cannot be supported, because this is an omnibus piece of legislation

that says, "Take it or leave it." You either take the good with the bad, or you don't take it at all.

1530

That's an unacceptable position to be put in. That's the way this government now operates. It has become highly political. Its only mandate is to think about what's going to happen in the next election. If that means ramming legislation through the House using an omnibus method, so be it. If that means a variety of things gets left out of the legislation or that there's less emphasis on the aspects of the legislation that need greater detail and attention given to them, so be it. If you force time allocation and have to come to the House to vote in committee of the whole on clause-by-clause, so be it. Disregard what the opposition has to say about the legislation. Disregard the stakeholders, those people who provide the programs.

If I felt in my heart that this government truly wanted to protect residents, those most vulnerable citizens in our province, I would even have supported this legislation holus-bolus. But at the end of the day there's another agenda at work here. It's the silent agenda, and that is to completely dismantle the entire system of transitional rehab housing programs that exist.

Hon Ms Gigantes: Shame on you.

Mr Cordiano: Oh, yes. The minister shakes her head, but it was repeated over and over again in this set of hearings around Bill 120 that many of the centres and many of the programs would be jeopardized. I could go through a litany of the submissions made during those hearings, various groups who came forward and said: "We cannot operate properly. We could not effectively continue with our programs, as conceived, as a result of Bill 120. We will be seriously jeopardized." The minister knows this. In fact, the government has admitted that what's at work here is an effort to delink services from housing.

Rather than say that upfront, as I've suggested in the past that the minister do, repeatedly throughout these hearings, rather than tell the people who operate these programs and all these organizations out there who are seriously threatened by Bill 120 that you intend to move in this direction and that you will put resources into play for those groups and programs to continue, that they have an opportunity to go through a transitional period in which to properly position themselves and prepare themselves for what amounts to a delinking of services, rather than do that, which I suggest would require that additional resources be expended by the government, as it's probably a more expensive alternative, rather than do that: "Let these groups die a slow death. Don't tell them what we're doing." That's what really irritates me, at the end of the day.

Hon Ms Gigantes: What a shameful statement.

Mr Cordiano: It is not a shameful statement. It is a truthful statement and one which I would say the minister should have the decency of putting forward with respect to the real intentions of this government.

I say that because in committee we approved an amendment I put forward extending the exemption period to 18 months from six months, and the government, once

the legislation was brought back to committee of the whole, reversed that amendment. What is the real intention of the government, if not to dismantle these programs, when repeatedly we heard many submissions and many groups that came forward to say, "We could not live with the six-month exemption"?

The facts speak for themselves. We heard from many groups, such as those involved in rehabilitating alcoholics and many others right across the spectrum, who said that this was not a workable situation for them, that the Landlord and Tenant Act would preclude them from doing the effective work which they had done to this point. I'd say that most of these groups have been doing the exceptional kind of work in our communities that will continue to be necessary.

What alternative does the government provide for this? The minister fails to answer that question, and so did the Minister of Health and the Minister of Community and Social Services. There are overlapping services and programs here.

I would say once again to the government that this is the silent agenda. This is what's at work. Of course the government is very used to this. The Premier is rarely in the House these days. He's out making announcements. He's conducting the silent election campaign, well in advance of the real campaign. In an effort to get himself re-elected, he's out there doing the kind of campaigning which is appropriate to do in an election campaign but certainly inappropriate to conduct prior to an election campaign in as partisan a way as this Premier is conducting himself.

Mr Kimble Sutherland (Oxford): Heaven forbid that the Premier meet with the people of Ontario.

The Acting Speaker: Order, please.

Mr Cordiano: It is a silent campaign. If you have any real guts, get on with the real campaign, if that's how you want to conduct the business of this Legislature.

The province of Ontario is very ready for an election campaign, very much so; the timing couldn't be better. Yet the government wants to continue with this agenda, where all the announcements are made outside of this House: expansive, expensive programs. The Premier is incredible these days. The amount of money he's announcing in programs and new construction out there is just bewildering. We should have a tote board outside of Queen's Park tallying how much the Premier has spent not only of this government's fiscal year, going into 1994-95, but extending well beyond the mandate of this government, potentially into another government's mandate. That is just amazing.

Getting back to the real point, of Bill 120 and the failure of this government to protect those most vulnerable citizens, we put forward amendments to suggest positive change, and the minister, as I said earlier, reversed what we tried to do to make Bill 120 work.

To recap some of those areas very quickly, as time is running out, Dr Ernie Lightman in his recommendations supported a fast-track eviction process, and the minister to this date has failed to explain how we overcome the problem of evicting someone when they put other tenants

who live in congregate living situations in serious jeopardy of their lives. We've heard from tenants who've said they could not live with those circumstances. We heard this repeatedly throughout the hearings.

There are other matters, for instance the 24-hour rule, which is part of the Landlord and Tenant Act, requiring that now, before someone who is a care giver in a care home enters the room of a tenant, there is a 24-hour notice provision.

Hon Ms Gigantes: No, that's wrong.

Mr Cordiano: That is not wrong, I say to the minister.

Additionally, there are problems around eviction for non-payment of care charges, which is also not possible under this bill. Someone could refuse to pay for those care charges—

Hon Ms Gigantes: Yes, that's called delinking.

Mr Cordiano: Well, that's called a problem under this legislation. That causes enormous problems for the operators of those care homes, and you simply choose to ignore those problems.

As has been suggested by the minister, she may see fit to bring care charges under the Rent Control Act. We are concerned with doing it with that initiative, because the government has not explained how it would monitor those care charges, and what understanding they have of the care charges in the Ministry of Housing as opposed to another ministry more appropriate to handle those kinds of questions.

1540

I need to move on, as time runs out, and deal with the other half, at the end of Bill 120, the legislation around accessory apartments. This is the biggest failing of the government. We have extreme concerns around the safety of accessory apartments, basement apartments, that currently exist across the province.

Those basement apartments will become legal after Bill 120 is passed. Not all of those basement apartments will be safe places to live. That's very clear, and the minister has failed to provide answers around how we can ensure that tenants living in those basement apartments will have safe places to live in after Bill 120 is passed. She suggests that amendments made to the fire code, amendments made to ensure that safety is a requirement, will alone ensure that these units will be safe.

That's not good enough. We have put forward amendments requiring that registration of all units is mandatory and that inspections of all units be made by municipalities. We have allowed for cost recovery of those inspections, and we've suggested that inspections also be made to have necessary approvals to qualify for insurance.

The government has failed to see the importance of this repeatedly. The leader of the Liberal Party, Lyn McLeod, has put forward this view in this House, asking the minister when she would take action to ensure that these units would become safe, to ensure that the necessary inspections are conducted. I put this forward as a hypothetical situation, but I think I could find a very real example for the minister: There are units out there that cosmetically are very attractive, and perhaps the tenants

living there currently are very satisfied with their unit because it has all the necessary accoutrements and is cosmetically a pleasant place to live. That unit could be unsafe according to the requirements of the building code and the safety code, and yet to the untrained eye, the tenant living in that unit would not know the difference.

The minister is suggesting that after the amendments to the fire code, this tenant will become overnight, instantly, thank you very much, very informed and up to speed with what's in the fire code. I find that startling, that she would rely on these tenants becoming informed due to the mere fact that she's making amendments to the fire code. I cannot believe this is what the minister is going to rely on to ensure that safety is brought about. She can't say to me that she will depend on everyone who knows their unit is substandard, either a landlord or tenant, going out and making the necessary renovations to bring those units up to the standard necessary to meet fire, safety code and building code requirements. That simply isn't going to happen.

We've heard from fire chiefs, who have suggested it will take anywhere from between \$5,000 and \$10,000 to upgrade the units that currently exist that are below standard. Even if landlords were knowledgeable about the amendments to the fire code, what incentive would they have to go out and spend that additional money to ensure that their unit was safe, when they already spent thousands of dollars to make this unit cosmetically attractive? In their mind and in the mind of the tenant living in that unit, it would be considered an acceptable place to live. The question of safety is left to the judgement of the individual living in the unit and/or a landlord being able to make the necessary renovations to make the unit safe.

I find that unbelievably unacceptable. I say to the minister, think hard on that prospect. At the end of the day, and I asked the minister this in committee, how much money would the government spend to educate the public about those changes in the fire code? You're going to have to spend a lot of money to educate everyone involved. To this date I have no satisfactory answers even around that question. That is the biggest failing on the part of this government with respect to accessory apartments: to leave those units completely unsafe. This government has very badly failed the people who live in those units.

Unfortunately, this is an omnibus piece of legislation, which makes it awfully difficult for us to support take-it-or-leave-it propositions. There are just too many glaring faults with this legislation, too many overlooked, important aspects of the legislation which fail to live up to the necessary requirements to ensure safety, to ensure that the vulnerable citizens in our province are protected, to ensure that the rehab centres continue to operate, because they do provide a very necessary service.

This government's plan for delinquent services and housing is in a shambles. At least, they're not telling us what they really intend to do. All that's left for us to conclude is that there's a silent agenda at work to undermine those very useful programs which have worked till now, have worked very well and have served many communities. I ask the government and the minister

once again, why do you want to destroy and dismantle this entire sector just because it justifies your own ideological directions and nothing more? It's been proven to you over and over again that you are failing, in this area, miserably.

Mr Robert V. Callahan (Brampton South): In the few minutes remaining I want to comment on this bill, particularly on the aspect of the retroactive legalization of basement apartments.

It's a principle of English common law that you don't take away people's property without proper compensation. The people who have lived in areas where they have been paying single-family rates or semi-detached rates to their councils over all the years have lived in a community where the density was one that was proposed by the elected representatives of their area, who are accountable to the public.

In one fell swoop of the pen, this NDP government is about to steal that value from those people, steal the most important investment people make in their lifetime. Unfortunately, over the period of time when real estate was very expensive, people had to resort to alternative accommodations, to basement apartments. People who owned the houses had to do that in order to retain their homes. But to attempt to do this in one fell swoop, in my view, is the most undemocratic, the most machiavellian approach that any government in the history of probably parliamentary democracy has ever resorted to.

1550

At the end of the day, if people vote you people out of office, it will be for a number of things, but this will be one of the hallmarks of it.

There are people who in my community say to me: "Mr Callahan, what happens? Does our council not have the ability to maintain the density and integrity of our neighbourhood?" I have to say to them no, because the New Democratic Party they elected—they gave them a massive majority to allow them to do two things: first of all, to shut us up by bringing in time-allocation motions; not even having the courtesy and the dignity to allow people to speak and to represent the people they're elected by in this Parliament and, on the other side of the coin, to turn around and say to people who relied upon the fact that their residential neighbourhood was a residential neighbourhood, paid the price for that, paid the mortgage on it, paid the taxes—and this government, in an effort to try and be all things to all people, are in fact going to take it away with the stroke of a pen.

I say, shame on this government. You're not doing anything for those people who are relying on that most invaluable investment they make; you're now devaluing it.

Finally, to the poor souls who perhaps are required to have those accommodations, as my colleague has said, you've not done one thing to protect those people. You would not provide for a registry so that these people could be identified, so that landlords could be required to upgrade these facilities to make certain they're safe.

If you think the Mississauga fire, as tragic as it was, is going to be eliminated by this machiavellian piece of

legislation, Minister, you're absolutely wrong. All you're doing is giving these people the belief that they now have some sort of safety. Well, they don't; that's a fact. You could have dealt with this issue perhaps before those tragedies took place. The one piece—

Hon Gilles Pouliot (Minister of Transportation): Sell your law practice; you are a failure.

Mr Callahan: The Minister of Transportation seems to find this all very cumbersome. I'm sorry, Minister; that's why you get the big car and the money. Maybe you'll listen. You cut us off in terms of parliamentary time to debate, so you can at least sit there and listen.

Finally, these people are not going to get one benefit from this act, not one benefit. They will be as at risk as they are now. They in fact perhaps will be at greater risk, because when people feel that democracy no longer serves their needs, and elected representatives no longer serve their needs because they've had the right taken away from them by a higher and senior government, they may very well decide to treat these people as anathema. You've done nothing for these people whatsoever, I have to tell you.

Finally, this in fact is a day that will go down in history as a time when the New Democratic Party government, with its giant majority, has said to the elected representatives of communities all over this province, "You no longer have the power, you no longer have the right to plan your communities the way you wish and to be accountable to the people who vote you into office because we, the senior Legislature at Queen's Park, have said so."

We saw what happened in eastern Europe. These types of institutions disappeared. I tell you that the New Democratic Party government is going to disappear very soon because of the machiavellian things you've done, supposedly in the interests of the democracy of this country. I'll tell you one thing, when the book is written on your government, it will probably change the entire name of the New Democratic Party. Just as the Conservatives as they go around this province gearing up for an election never mention once in any of their literature that they're Conservatives because they perhaps are afraid of that, you people when you campaign, be it for provincial Parliament, federal Parliament or municipal parliament, won't want to be New Democrats.

The Acting Speaker: This completes the time allotted for the official opposition. Further debate?

Mr David Johnson (Don Mills): I would like to say that the member for Mississauga South has put in many of the remarks that I would like to put, but in my brief period of time I would say that if the government does not choose to listen to the member for Mississauga South, myself, or any of the members on this side of the House, would the government listen to the Metropolitan Toronto Association for Community Living, an association that serves people with developmental disabilities and provides residential programs for 600 people? The Metropolitan Toronto Association for Community Living says that Bill 120 will cause harm to their programs.

Will they listen to the Ontario Association of Non-

profit Homes and Services for Seniors? I quote from one of their recent publications: "Bill 120 ignores seniors' special care needs."

Will the government listen to the Scarborough General Hospital, that hospital which has a program serving severely mentally ill people? They say that the eviction process imposed under Bill 120 associated with the Landlord and Tenant Act will take at least six to eight weeks—my view is it will take much longer than that—that during this period of time, residents housed in the program with the Scarborough General Hospital will be subject to verbal and physical abuse during that period of time and it'll cause harm to their program.

Will the government listen to Stanley Knowles, speaking on behalf of Rideau Place in Ottawa, who pleads with the Premier of the province of Ontario not to proceed with Bill 120?

Will the members and the minister listen to the spokespeople on behalf of Massey Centre, providing a service for unwed young mothers who plead and say that security is so essential in their program and that this bill, Bill 120, will remove the security procedures which are so important to their program?

Will they listen to the Ontario Federation of Community Mental Health and Addiction Programs, having over 100 agencies providing accommodation and rehabilitation and recovery programs, when it says that Bill 120 will cause it problems and will harm its programs?

Will they listen to the Society of St Vincent de Paul, which provides 11 homes for men and women recovering from alcohol addiction; will they listen to the Anglican Houses providing accommodation for the homeless and for those with multiple disabilities; will they listen to Ecuhome, represented by seven or eight different churches here in the Metropolitan region, providing some 50 homes for people who are hard to house, when these organizations, and I've only picked out a few, say that this Bill 120 will cause irreparable damage and harm to their programs?

On the other half of the bill, if the government won't listen to the member for Mississauga South and myself and the other members of our caucus, will it listen to the Ontario Association of Fire Chiefs when the Ontario Association of Fire Chiefs tells us and tells this government that the fire chiefs of Ontario need access to these units to ensure that they are safe?

Many of these units, the basement apartments, the accessory apartments that are made legal through this bill, have never been inspected. This bill will not provide that access to have these apartments inspected to make sure that they're safe. Yes, this bill will make these units legal but it will not make them safe. The minister herself says this bill speaks to legality; it does not speak to safety. That, I have to say, is the wrong approach. We should be concerned about the safety of basement apartments, about the safety of accessory apartments.

Will the minister listen to the Mississauga fire chief, to the fire chief from North York, the fire chief from the city of Ottawa, Scarborough, many municipalities, when those fire chiefs say they need the right of access to these

apartments to make sure they're safe and this bill will not provide it?

I've asked the fire chief in East York, "When you knock on the door and try to get access to one of these units to go in and do an inspection, to make sure that that basement apartment is safe, what luck do you have?" I'm told, and I'm told that this is representative of other municipalities, that about 30% of the time they get in; 70% of the time they do not get in to do an inspection. That is not sufficient. That will not provide safety. In the words of the fire chief of the city of Mississauga, if they can't get in and they can't inspect and ensure that there's safety, there will simply be more fires and there will be more tragedies, and I think that's wrong.

The Acting Speaker: This completes the time allotted for the Progressive Conservative Party. Further debate?

Mr Stephen Owens (Scarborough Centre): This for me and the minister and my government is a very proud day. For us, it brings to completion two very important pieces of legislation that were combined in an omnibus bill to form Bill 120.

1600

The member for Don Mills talks about not listening. Well, there's a lot of not listening going on over there in the opposition. Was the opposition not listening in 1989 when the then Liberal government gave municipalities the authority to provide for zoning and other requirements with respect to basement apartments? Were these municipalities and members of the opposition not listening to people like Doug Hum, Barb Jamison, Ray Catrion and Jackie Bonsell from Scarborough when they came forward time after time to Scarborough council and deputed till 3 o'clock in the morning to be treated rudely by municipal officials? They didn't want to listen either.

The Ontario fire marshal's office when it deputed in front of the committee talked about how many people have refused entry by the fire marshal or the fire department to their homes.

Interjection.

Mr Owens: The number was two. The member for Mississauga South somewhere—

Mr Gary Wilson (Kingston and The Islands): Still not listening.

Mr Owens: —is still not listening. The member for Mississauga South and the member for Brampton, who's not here at this point and I wish he was, because what these people have done essentially, and I've said this to the member for Mississauga South—what she's done is she's played politics with people's lives. She is saying this bill, in its form, has essentially killed people who have been living in basement apartments.

I say to the member for Mississauga South, and I say to the mayor of Mississauga, back in 1989, when you were given the authority to respond with respect to basement apartments, you did not do it. You did not listen to the housing groups that came forward in your riding. You did not listen to the housing advocates in your area in any way, shape or form.

On the issue of municipal powers and search and seizure, I would like to ask the member for Mississauga

South, who puts her hand over her heart and talks about rights and freedoms and all the rest of that stuff, if there's any person in Mississauga who would freely open their door or allow somebody to kick the door in or have the unfettered right of entry, and I would say to the member for Mississauga South that no one in their right mind would allow unfettered access to any person in authority.

People in Ontario, people like my parents, fought for the democratic right to say who enters their premises or not. This government has worked hard to provide for a piece of legislation that allows a search warrant to be obtained by its officials, by—

Interjections.

The Acting Speaker: Order, please. Interjections are out of order.

Mr Owens: I would stop the clock.

The Acting Speaker: The member for Scarborough Centre has the floor.

Mr Owens: I would suggest to the member that the unfettered right of entry has absolutely nothing to do with whether the grass is cut, absolutely nothing to do with whether somebody has a couch on their lawn or whether or not the windows get washed. I think in this society we all understand that people have a right to privacy and they have a right to ask questions.

The issue of Stanley Knowles was raised by the member for Don Mills and the issue with respect to senior care needs. The word that was missing during the presentation by the providers was that simple word called "consent."

I would ask the member for Don Mills—

Interjection.

Mr Owens: —and the member for Mississauga South, if she could ever close her mouth long enough to listen to what I'm saying, if she would go back to that apartment building that she talks about where Stanley Knowles resides and ask the people. What if people become incontinent? What if people become disoriented? What if this, what if that? How quickly will those people be asked to vacate the premises?

In closing, the member for Mississauga South also forgets the fine upstanding Tory tradition that now lives on in Parkdale. The kinds of slum houses, the kinds of problems that ex-psychiatric patients have to put up with, the kinds of things that are the responsibility of the Tories I lay solely and squarely at your feet, I say to the member for Mississauga South. You closed Lakeshore Psychiatric Hospital. You did not put the services into place. You did not do a thing to raise a finger to lift these people out of poverty and to maintain what little dignity they are able to maintain after years within Queen Street psychiatric hospital.

We didn't need Ernie Lightman to talk about the kinds of problems that went on in the boarding houses. We know. We needed Ernie Lightman to document in one single volume the kinds of problems that are going on. I think the member should take the opportunity to read the book by Pat Capponi—I say this once more—Upstairs in the Crazy House. I think you'll find it instructive.

Hon Ms Gigantes: It is with a great sense of satisfaction that I rise to wrap up this debate. What we've heard from the members of the opposition really gives you an outline of how it's gone on this residents' rights bill.

I'd like to give credit and give thanks to Dr Ernie Lightman, who wrote the report on the lives of people who live in care homes in Ontario, documenting the great strains and, in some cases, abuses under which they have to live. He also called for the recognition of apartments in houses and measures by this government to clarify the situation under the Landlord and Tenant Act and the Rent Control Act for residents of apartments in houses.

Dr Lightman and indeed many groups that have worked on behalf of this legislation over many years can feel some sense of pride today that the work they have done has borne fruit, that people who live in apartments in houses need no longer fear that they will be evicted if they call forth their rights under the Landlord and Tenant Act and the Rent Control Act.

That is the first step to safety. There are 100,000 people who live in apartments in houses which are illegal simply because of the zoning. Until we change that situation, which is what this bill will do, nothing about their health and safety can or will be addressed, no matter what the opposition benches are telling us.

It was interesting today. From the Conservatives we had a clearly negative approach to both parts of the bill, both the care homes section and the apartments in houses. From the member for Mississauga South, the Conservative Housing critic, we had, "If it ain't broke, don't fix it." If she hasn't noticed how broke it is, she'd better get a new prescription for her glasses.

From the Liberals we heard from their Housing critic, the member for Lawrence, that he felt he and his colleagues were in a very unfortunate position. It's the unfortunate position the Liberal Party finds itself in all too often when it tries to have it both ways.

Until we can clarify the legal situation of people who live in apartments in houses and who live in care homes and say that they, as residents in homes where they live permanently, have the same rights to protection, the same rights of tenure and security under the Landlord and Tenant Act and the same rights to make sure that they don't suffer unwarranted rent increases and that they can use pieces of the legislation to address maintenance problems and so on, until they have those same rights other tenants have, they are in a very vulnerable situation, which has been well known in Ontario for many a year. The fact that previous governments were unwilling to act has meant that the problem has built and built.

To all those people who are afraid of what this legislation will mean because of unfamiliarity with the Landlord and Tenant Act and the Rent Control Act, let me offer assistance from the Ministry of Housing in making sure that the programs it is running and the situations landlords and tenants enter into are situations and programs we would like to see develop and improve under the residents' rights bill. We will do all that we can to assist.

The Acting Speaker: This completes the time allotted for third reading debate of Bill 120.

Ms Gigantes has moved third reading of Bill 120. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members: a five-minute bell.

The division bells rang from 1610 to 1615.

The Acting Speaker: Order, please. Could all members please take their seats.

We are now dealing with third reading of Bill 120. All those in favour of third reading of Bill 120 will rise one at a time to be recognized by the clerk.

Ayes

Abel, Akande, Allen, Bisson, Boyd, Buchanan, Charlton, Christopherson, Churley, Cooke, Cooper, Dadamo, Duignan, Farnan, Frankford, Gigantes, Grier, Haack, Hampton, Hansen, Harrington, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Kormos, Lankin, Lessard, Mackenzie, MacKinnon, Malkowski, Marchese, Martel, Martin, Mathysen, Mills, Morrow, Murdock (Sudbury), O'Connor, Owens, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Silipo, Sutherland, Ward, Waters, Wessinger, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziemba.

The Acting Speaker: All those opposed to Bill 120 will rise one at a time and be recognized by the clerk.

Nays

Arnott, Beer, Bradley, Callahan, Chiarelli, Conway, Cordiano, Cunningham, Daigeler, Eddy, Elston, Eves, Harnick, Hodgson, Jackson, Johnson (Don Mills), Kwinter, Mahoney, Marland, McClelland, McGuinty, Miclash, Morin, Murphy, North, Offer, O'Neill (Ottawa-Rideau), Poole, Ramsay, Runciman, Ruprecht, Sola, Sorbara, Sterling, Stockwell, Sullivan, Tilson, Turnbull, Witmer.

The Acting Speaker: The ayes are 58; the nays are 39. I declare the motion carried.

I declare that the bill do now pass and be entitled as in the motion.

Mr Murray J. Elston (Bruce): On a point of order, Mr Speaker: I wonder, since we actually have ministers here at this point, if I could have unanimous consent to move back to question period.

The Acting Speaker: Do we have unanimous consent? No.

House in committee of the whole.

EMPLOYER HEALTH TAX AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT LA LOI
SUR L'IMPÔT PRÉLEVÉ SUR LES EMPLOYEURS
RELATIF AUX SERVICES DE SANTÉ

Consideration of Bill 110, An Act to amend the Employer Health Tax Act and the Workers' Compensation Act / Projet de loi 110, Loi modifiant la Loi sur l'impôt prélevé sur les employeurs relatif aux services de santé et la Loi sur les accidents du travail.

The First Deputy Chair (Ms Margaret H.

Harrington): We will now be looking for questions, comments or amendments, and if there are amendments, to which sections.

Mr Ted Arnott (Wellington): As small business advocate for our party, I have a number of amendments that I'd like to put forward this afternoon.

We wish to amend section 1 of the bill by adding a subsection; an amendment to subsection 1(5) of the bill; subsection 1(8) of the bill; another for subsection 1(8) of the bill; subsection 1(10) of the bill; a new section which we call section 1.1 of the bill; an amendment to section 2 of the bill; an amendment to subsection 3(1) of the bill; an amendment to subsection 3(2) of the bill; an amendment to subsection 3(3) of the bill; an amendment to section 4 of the bill; an amendment to subsection 5(6) of the bill; section 7 of the bill; section 13 of the bill; subsection 38(3) of the bill; and subsections 39(5) and (6) of the bill.

That concludes our amendments, Madam Chair.

The First Deputy Chair: Will there be any other amendments put forward to this bill? Do you have any amendments?

Mr Murray J. Elston (Bruce): No.

The First Deputy Chair: We will deal with section 1 of the bill first.

Mr Elston: On a point of order, Madam Chair: I just wondered if the member for Wellington might tell us how many of his amendments he expects to be ruled in order.

The First Deputy Chair: Thank you. We will proceed with the member for Wellington. Your amendments to section 1, please.

Mr Arnott: I move that section 1 of the bill be amended by adding the following subsection:

"(1.1) The definition of 'employer' in subsection 1(1) of the act is repealed and the following substituted:

"'employer' means a person or a government, including the government of a province, a territory or Canada, who pays remuneration to an employee, but does not include a small employer."

I believe this amendment is in order. We have introduced a number of amendments to this bill this afternoon which we feel are in order. Their effect is entirely consistent with the commonsense agenda we introduced last week.

Mr Steven W. Mahoney (Mississauga West): Where's my flag?

Mr Arnott: He doesn't have his flag, but this indeed is consistent with what we're saying. We're saying that small businesses, those with a payroll of less than \$400,000 annually, ought to be exempt from paying the employer health tax. We've seen tacit recognition by the Treasurer in his budget a couple of weeks ago, indicating that that would help small business create jobs. At least they're giving a tax holiday for small business for one year. I believe that is a rather direct admission that small business needs exemption from the payroll taxes, specifically from the employer health tax.

What we intend to do is to endeavour to put this forward in a positive, constructive way for the govern-

ment to give consideration to it. We believe this move would assist small business directly and immediately, will help the sector that is really creating about 80% of the jobs in this province.

Mr Mahoney: I want to express the concern that how we define "small business" in relationship to the EHT is critical here. What Bill 110 attempts to do is to bring in the people who were left out when the employer health tax was initially put in place. They are people such as lawyers or doctors or consultants, who generally were left out of the legislation and were exempt. This bill will bring them in.

What the NDP has done in its legislation is to say that anybody who earns less than \$40,000 a year will be exempt from this bill. What this amendment clearly does is to slightly increase the stakes. It says that anyone who earns less than \$400,000 a year, and they use the term "Ontario remuneration for the year that does not exceed \$400,000," will be exempt.

As a result, what we're disputing here is whether we're talking about small business in the strict sense of small business being defined by the province as someone with fewer than 100 employees; officially, that's been the level that's been recognized. Or are we talking about what amounts to, in essence, a tax shelter for someone earning \$400,000?

The First Deputy Chair: Excuse me. I believe you may be speaking to amendment 1(5). We're actually dealing with subsection (1.1).

Mr Mahoney: I understand that. It's all related, Madam Chair; that's the point. It's all related. What they're doing in the first one is changing the definition of "employer," but the purpose in doing it is then followed up by the \$400,000 exemption.

We took a position on this bill that this is the wrong time for the government to be expanding its tax base and that we were opposed generally to the bill as it stood, with the exception of the changes under the Workers' Compensation Act, which we thought made some sense.

What the Tories are attempting to do is put this in line with their document that was put forward—I think it was called the American Revolution—that was lacking in common sense. They would now in essence say to people in Ontario, "If your payroll is under \$400,000"—this is creating, obviously, two tiers and two levels. We don't support the bill, but this amendment would make it even worse.

Mr Kimble Sutherland (Oxford): I too want to make a couple of comments regarding the amendment put forward by the member for Wellington and say that we will not be supporting this amendment. Yes, we all recognize the value small business plays in the province in terms of creating jobs, and that was recognized in the most recent budget, but we also understand that there is some obligation for everyone to pay their share of taxes, particularly the employer health tax.

1630

The First Deputy Chair: Before we go further, I would like to ask for agreement that the member can speak from this seat. Would this be agreeable? Agreed.

Mr Sutherland: If I may, could I also ask permission for staff to come on the floor?

The First Deputy Chair: Do I have permission for staff to come to the floor? Agreed. Further comments?

Mr David Johnson (Don Mills): In terms of a comment but also perhaps in terms of a question, perhaps to the parliamentary assistant—I see I have his attention—I was curious about the fact that in the 1994 budget just released by the Minister of Finance, there was a specific section entitled “Cutting Taxes to Create Jobs.” That section pertained primarily to the new direction in the 1994 budget that the employer health tax would not be paid on new jobs, jobs created above and beyond those in place at present, or new payroll and new jobs.

The government clearly recognized that the elimination of the employer health tax is going to create jobs in the province of Ontario. As a matter of fact, your very own document budget touts the fact that 12,000 jobs will be created in Ontario as a result of eliminating the employer health tax in those circumstances. The cost I think you estimated at some \$200 million, but 12,000 jobs were going to be created.

My question to the parliamentary assistant is, if you recognized in the 1994 budget that eliminating the employer health tax under certain circumstances for new jobs or new payrolls would create those 12,000 jobs, what is different? Why have you not recognized that in this bill, where you're actually going counter to that theory and applying more employer health tax in more situations? If I use an extension of your logic in the 1994 budget, you would then actually be reducing jobs.

Where is the consistency? On the one hand, you're eliminating the tax to create jobs. On the other hand, you're introducing the employer health tax, which presumably will cut jobs. I'm very curious about why you've taken two entirely different approaches.

Mr Sutherland: To respond to the member for Don Mills, I think we need to understand a couple of things. First of all, if we look at the legislation we're dealing with, what we're doing is trying to make the application of the employer health tax fairer, because self-employed individuals, before this legislation is brought forward, do not have to pay the employer health tax. The purpose of what we're doing here is to say that for those who are self-employed and earn more than \$40,000, they will pay the health tax.

The member for Don Mills asked, is this inconsistent with what we've done in the 1994 budget regarding the incentive for small businesses who are hiring new employees? I would say to him, no, it's not. You have to understand that if you were self-employed, you do not qualify for this new incentive as other businesses do, so you're talking in some respects about two different portions of taxes here.

Mr Arnott: In response to the member for Mississauga West, who raised a few questions about the intent of this amendment and the package of amendments we're putting forward this afternoon, we in the Conservative caucus would not suggest that people shouldn't be asked to pay for a portion of their health care cost.

Mr Elston: On the contrary: user fees.

Mr Arnott: No, as a matter of fact, we have what we call a fair share health care levy, and that would kick in for anyone who has an income of more than \$50,000 a year and would be a direct percentage of their income which they would pay on their income tax form annually. It's a graduated rate. It starts at \$50,000. If you earn less than \$50,000, you don't pay a penny in that fair share health care levy. If, say, you make \$150,000, you pay about 2% of your income, which is about \$3,000.

We don't fundamentally reject the notion that people can't pay for a portion of their health care cost, but we're just saying that this employer health tax—and I'm not surprised the Liberals are a little irritated by our amendment, because it was their tax initially and it has been collected now for a number of years. At the time, they certainly argued that the businesses could withstand this new tax. But clearly, over the last number of years, it has been demonstrated that it is not conducive to job creation.

Mr Ernie L. Eves (Parry Sound): On a point of order, Madam Chair: I have just spoken to the official opposition House leader and the whip for the government. Because all our amendments are of a similar nature, there's been agreement that the forced division on these amendments will be deferred until the end of the day at 5:45, just before the vote. I would like to ask for unanimous consent that this be done.

The First Deputy Chair: You want to have a division on each of these amendments?

Mr Eves: That's correct. It will probably be the same vote, but it will all happen at once.

The First Deputy Chair: Is there agreement? Agreed.

Mr Arnott has moved an amendment to section 1 of the bill, subsection (1.1). Is it the pleasure of the committee that the motion carry?

All those in favour of the motion will please say “aye.”

All those in opposed to the motion will please say “nay.”

In my opinion, the nays have it.

As agreed, this vote will be stacked to the end of all the amendments, or 5:45.

Amendments? I believe we have one to subsection 1(5).

Mr Arnott: I move that the definition of “small employer” in subsection 1(1) of the act, as set out in subsection 1(5) of the bill, be struck out and the following substituted:

“‘small employer,’ in respect of a year, means an employer who pays total Ontario remuneration for the year that does not exceed \$400,000.”

The First Deputy Chair: Mr Arnott, would you like to make some comments?

Mr Arnott: In the interest of expediency, I think we addressed the issues we want to raise in the earlier debate.

Mr Sutherland: Let me make just one additional comment to what the member for Wellington is trying to do here. His belief is that with what this amendment is

proposing, by reducing this, it will automatically increase employment among small business people. There are a lot of assumptions in that, that they will automatically increase their number of employees. Compared to what we've done in the 1994 budget, where the incentive is specifically there for them to increase employment, we do a better job of targeting that incentive compared to what the member for Wellington is proposing here.

The First Deputy Chair: Any further questions or comments? Seeing none, Mr Arnott has moved an amendment to subsection 1(5) of the bill. Is it the pleasure of the committee that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it. This vote will be accordingly stacked until later.

Further amendments?

Mr Arnott: This is subsection 1(8) of the bill.

I move that the definitions of "fiscal year," "net self-employment income," "self-employed individual" and "self-employment income" in subsection 1(1) of the act, as set out in subsection 1(8) of the bill, be struck out.

1640

Mr Elston: On a point of order, Madam Chair: As I understand it, the proper way to eliminate sections is to vote against them during clause-by-clause voting rather than moving that they be struck out. I think, as a result, that the amendments just announced are obviously out of order.

The First Deputy Chair: Thank you to the member for Bruce. He is correct if we are dealing with the whole section. This particular amendment deals with only part of the section, so we will have to deal with it.

Mr Arnott has moved that subsection 1(8) of the bill be amended. Is it the pleasure of the committee that the motion carry?

All those in favour of the motion, please say "aye."

All those opposed to the motion, please say "nay."

In my opinion, the nays have it.

The vote will be accordingly stacked.

Further amendments?

Mr Arnott: I wish to move a further amendment to subsection 1(8).

I move that the definition of "taxpayer" in subsection 1(1) of the act, as set out in subsection 1(8) of the bill, be struck out and the following substituted:

"'Taxpayer' means a person who is an employer, whether or not that person is liable to pay tax under this act."

The First Deputy Chair: Mr Arnott has moved an amendment to subsection 1(8) of the bill, subsection 1(1) of the act. Dispense?

Mr Elston: No. I want to hear this read again. I can't hear it, Madam Chair. I'm sorry.

The First Deputy Chair: "I move that the definition of 'taxpayer' in section 1(1) of the act, as set out in subsection 1(8) of the bill, be struck out and the following substituted:

"'Taxpayer' means a person who is an employer, whether or not that person is liable to pay tax under this act."

Mr Arnott, would you have any comments or questions regarding this amendment? No.

Mr Elston: I think maybe we could have just a brief explanation of why that is necessary. My friend, I know, probably does want to save us a little bit of time, but I think that particular winding through the legislation might be assisted by a brief discussion of its merits.

Mr Arnott: Just by way of response to the member for Bruce, and I hope this is satisfactory, this in my understanding is required in the totality of our amendments to reflect the viewpoint that we've put forward, that businesses with payrolls of under \$400,000 ought to be exempt from the employer health tax.

The First Deputy Chair: Any further questions or comments to Mr Arnott? Seeing none, Mr Arnott has moved an amendment to subsection 1(8) of the bill. Is it the pleasure of the committee that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

This vote will be stacked.

Further amendments?

Mr Arnott: I move that subsection 1(10) of the bill be struck out.

The First Deputy Chair: Seeing that this is a subsection, it is in order. Mr Arnott has moved that subsection 1(10) of the bill be struck out. Is it the pleasure of the committee that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

This will be voted on accordingly later.

Further amendments?

Mr Arnott: My next amendment would create a new section, section 1.1 of the bill. The amendment is as follows:

I move that the bill be amended by adding the following section:

"1.1 A small employer is exempt from this act."

Mr David Johnson: By way of a question, again, to the parliamentary assistant: Since this amendment is talking about eliminating small, self-employed individuals, I'd just like to have on record, if it's possible, since this tax has actually been collected, as I understand it, since January 1993—we've had almost a year and a half in terms of collecting this tax. Perhaps you could inform me (a) if I'm right on that, and (b) how much tax was collected during the course of the last year pertaining to this issue, the extension of the employer health tax to self-employed people.

I understand that the forecast in the first instance was that there would be about \$45 million worth of revenue. If you could tell me if I'm correct in that and how much revenue was actually collected—and the cost. To go against that, what is the cost of the administration to

collect the tax? How many people are we talking about that are involved specifically in collecting this tax so we can compare the number of people to collect this tax, the cost of collecting this tax, versus the actual revenue it brought in?

One of the reasons I ask this is that in the first instance when the employer health tax was contemplated—I wasn't here at the time, but my understanding is that one of the parties in opposition at that point, the NDP, felt this tax would not bring in enough. Indeed, I think it was the staff recommendation at that time too, I've been informed, that the cost of collecting and monitoring this tax would outweigh—perhaps not in the actual dollars, but when you consider that, yes, more revenue would be collected than the cost but not significantly enough that it simply wouldn't be worthwhile. I wonder if you could speak on the year's experience in that regard.

Mr Sutherland: Let me say that the amount of tax we're talking about that would be collected from small employers is about \$400 million. Unfortunately, I can't give you an estimate of what the actual cost of collection and administration would be.

Mr David Johnson: That's more than I was led to believe, when you say the amount to be collected is about \$400 million. I may have been informed incorrectly, but the information I had was that it was about one tenth of that. I'm simply talking about the employer health tax pertaining to self-employed people, by itself; not just all small businesses, but self-employed people.

Have you had a year of experience in that regard? Have you collected this for about a year and, if so, exactly how much money during that year have you collected?

I'm a little bit puzzled that you wouldn't have any estimate in terms of the cost of collecting that tax because I would assume when a government is looking at implementing a tax, one of the things they would know is how much it's going to cost to collect the tax. Surely, somewhere there must be an estimate in terms of how many people to collect it and what the cost would be to collect the tax.

1650

Mr Sutherland: Let me just clarify: The \$400 million is the amount it would be from a small employer. I gave the member for Don Mills that figure because his amendment refers to a small employer, not just a self-employed individual. He is correct in his figures about self-employed individuals. The revenue collected there would be, I'm informed, about \$35 million, \$40 million, somewhere in that range.

The First Deputy Chair: Any further questions or comments with regard to this amendment? Seeing none, Mr Arnott has moved an amendment to section 1.1 of the bill. Is it the pleasure of the committee that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

This vote will be stacked until later.

We have now completed section 1 of the bill and we are about to deal with section 2.

Mr Arnott: I have one amendment to section 2.

I move that section 2 of the bill be struck out and the following substituted:

"Calculation of tax

"(2.1) The amount of the tax payable by an employer for a year is an amount equal to the product of the total Ontario remuneration paid by the employer during the year multiplied by a rate of 1.95 per cent."

The First Deputy Chair: Mr Arnott, would you have any comments with regard to your motion?

Mr Arnott: It's again consistent with the intent of what we're trying to do this afternoon. It changes the formula for calculating the tax.

Mr Sutherland: Let me say that I understand the intent of why this amendment is moved in conjunction with all the other amendments in terms of a small employer. Let me just say, though, that if none of the other amendments carried and this one did, then you'd have a greater problem, of course, because you'd be removing the graduated portion of the employers health tax, and that would subsequently mean the small employers would be paying the same as the larger employers.

The First Deputy Chair: Any further questions or comments to this amendment? If not, Mr Arnott has moved an amendment to section 2 of the bill. Is it the pleasure of the committee that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

In my opinion, the nays have it.

This vote will be stacked.

Now we will move to section 3 of the bill.

Mr Arnott: I have three amendments to section 3. The first one is subsection 3(1) of the bill.

I move that subsection 3(1) of the bill be struck out and the following substituted:

"3(1) Subsection 3(1) of the act is amended by striking out 'Treasurer' in the second line and substituting 'minister.'"

The First Deputy Chair: Mr Arnott has moved an amendment to subsection 3(1) of the bill. Is it the pleasure of the committee that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

In my opinion, the nays have it.

This vote will be stacked until later.

Any further questions, comments or amendments to section 3?

Mr Arnott: My amendment to subsection 3(2) of the bill is as follows:

I move that subsection 3(2) of the act, as set out in subsection 3(2) of the bill, be struck out and the following substituted:

"Exception

"(2) An employer is not required to pay instalments on account of the tax payable for a year as an employer

under this act if the total Ontario remuneration for the year was paid or will be paid by the employer during one month in the year."

The First Deputy Chair: Any comments or questions with regard to this amendment? Seeing none, Mr Arnott has moved an amendment to subsection 3(2) of the bill. Is it the pleasure of the committee that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

In my opinion, the nays have it. This vote will also be stacked.

Any further amendments to section 3?

Mr Arnott: I move that subsections 3(3), (5), (6), (7) and (8) of the act, as set out in subsection 3(3) of the bill, be struck out.

The First Deputy Chair: Any questions or comments with regard to this motion? Seeing none, is it the pleasure of the committee that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it. This vote also will be stacked.

We will now turn to section 4 of the bill. Any questions, comments or amendments?

Mr Arnott: We have no amendments to this section of the bill. The member for Bruce will probably correct me if I'm mistaken, but we intend to vote against this section of the bill.

The First Deputy Chair: Are there any further questions, comments or amendments to section 4? If there are no questions, comments or amendments, we can deal with section 4. Shall section 4 carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. I declare that section carried.

Now we can deal with section 5 of the bill. Are there any questions, comments or amendments to section 5?

Mr Arnott: I have an amendment to subsection 5(6) of the bill.

I move that subsections 5(8), (9) and (10) of the act, as set out in subsection 5(6) of the bill, be struck out.

The First Deputy Chair: Any questions or comments on this motion? Seeing none, Mr Arnott has moved an amendment to subsections 5(8), (9) and (10) of the act. Is it the pleasure of the committee that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

In my opinion, the nays have it. This vote also will be stacked.

Any questions, comments or amendments to section 6 of the bill? Seeing none, shall section 6 carry?

All those in favour of the motion, please say "aye."

All those opposed to the motion, please say "nay."

In my opinion, the nays have it.

Interjections.

The First Deputy Chair: All those in favour, please say "aye."

Mr Elston: No, no. You can't do that. It's been called before.

On a point of order, Madam Chair: You have called for the vote. It has been registered. A decision was made. Five members stood in their places. This now has to be stacked with the rest of them, Madam Chair, unless something else is to be made as an arrangement. I'm sorry, but you cannot change the ruling on your own accord, at least in my view.

The First Deputy Chair: The vote on this section will be stacked.

Now we will deal with section 7 of the bill. Are there any questions, comments or amendments to section 7?

Mr Arnott: I move that section 7 of the bill be struck out and the following substituted:

"7(1) Subsection 7(3) of the act is amended by striking out 'compounded monthly' in the second line and substituting 'compounded daily'.

"(2) Subsection 7(5) of the act is repealed."

The First Deputy Chair: Are there any comments with regard to this motion? Seeing none, Mr Arnott has moved an amendment to section 7 of the bill. Is it the pleasure of the committee that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

In my opinion, the nays have it.

This vote also will be stacked.

Now we will deal with further sections 8 through 12. Is there agreement that we can deal with 8 through 12? Agreed.

Are there any questions, comments or amendments to sections 8 through 12? Seeing none, shall sections 8 through 12 carry? Carried.

We will now deal with section 13 of the bill. Are there any questions, comments or amendments to section 13?

Mr Arnott: I move that section 13 of the bill be struck out and the following substituted:

"13. Subsection 12(1) of the act is repealed and the following substituted:

"Records and books of account

"(1) Every employer with a permanent establishment in Ontario shall keep records and books of account in Ontario or at such other place as may be approved by the minister."

The First Deputy Chair: Are there any questions or comments with regard to this motion? Seeing none, Mr Arnott has moved an amendment to section 13 of the bill. Is it the pleasure of the committee that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

In my opinion, the nays have it. This vote will be stacked.

Any questions, comments or amendments on sections 14 through 37?

Mr Elston: Just as a matter of interest, there have been and I guess there always will continue to be some complaints, particularly from small business people, in relation to audits by the Ministry of Revenue in many, many areas. The EHT, I suspect, is probably no different. Could the parliamentary assistant describe for me what is seen to be a reasonable hour and time, and whether steps have been taken by the department to ensure that any audit that is being conducted is done so a small business person, who oftentimes is a sole proprietor or may even be a part-time proprietor of their own business, is not inconvenienced to the point where they are taken away from actually operating their premises and their stores? I know we have a person who has practical experience here, but the inconvenience is probably one of the largest complaints we receive, particularly to the one- or two-person operation which has to deal with auditors. Perhaps you can tell us how you have modernized the process.

Mr Sutherland: I am pleased to respond to the member for Bruce. The normal procedure is to try and set up an appointment during normal working hours. However, if that is inconvenient to the small business person, they try and reach a mutually agreeable time to come in and have the audit take place.

The First Deputy Chair: Are there any further questions, comments or amendments on sections 14 through 37?

Shall sections 14 through 37 carry? Carried.

We will deal now with section 38 of the bill. Are there any questions, comments or amendments to section 38?

Mr Arnott: I move that subsection 38(3) of the bill be struck out and the following substituted:

"Same

"(3) Subsection 5(1.1) of the act, as enacted by subsection 5(1) of this act, applies in respect to returns required to be filed in respect of 1993 and subsequent years."

The First Deputy Chair: Are there any questions or comments to this particular amendment? Seeing none, Mr Arnott has moved an amendment to subsection 38(3) of the bill. Is it the pleasure of the committee that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

In my opinion, the nays have it. This vote will also be stacked.

Moving on to section 39 of the bill, are there any questions, comments or amendments to section 39?

Mr Arnott: This is our last amendment, which would have the effect of changing the employer health tax to reflect the Common Sense Revolution.

I move that subsections 39(5) and (6) of the bill be struck out and the following substituted:

"Same

"(5) Subsection 1(9), section 2, subsections 3(1) and (3), sections 4, 5, 6, 8, 9, 10, 11, 12, 13 and 16, subsection 18(1), sections 19 and 20, subsection 22(1) and sections 28, 34 and 35 shall be deemed to have come into force on January 1, 1993.

"Same

"(6) Subsection 7(1) and section 29 shall be deemed to have come into force on January 1, 1994."

The First Deputy Chair: Are there any questions or comments to this motion?

Mr Elston: As we've come almost to an end of this discussion, it's important for us all to reflect that the amendments being proposed here are in some ways tinkering with a bill which has caused a great deal of discomfort in the small business community. While for some of us there is always an interesting—

Interjections.

Mr Elston: May I wait till they're finished speaking?

The First Deputy Chair: Order. Proceed.

Mr Elston: There is a great deal of debate in this province about the effectiveness of the employer health tax and its ability—

Interjection.

The Acting Speaker: The member for York Mills, come to order. I'd like to hear the member for Bruce.

1710

Mr Anthony Perruzza (Downsview): He came to contribute, Madam Chair.

Mr Elston: Actually, perhaps the contribution could be by way of a levy to the EHT by the member for York Mills and the member for Durham West. We could do a special levy. I can make that amendment under the next section.

In any event, here's our problem: We have a circumstance in this province where the EHT was planned to replace a whole series of health administrative matters which dealt with premiums. For anybody who was in the health administration business in those days, it was a rather complex process: collecting the premiums, logging the cheques, finding out who hadn't paid, disqualifying some people, putting other people on the list, filings of form 104s and otherwise. From a health perspective it probably made good sense to deal with an employer health tax, because that alleviated the necessity of chasing people who had come into and then out of the system for health insurance coverage in the province.

Unfortunately, having chosen this method—and I remember speaking briefly, at another time in this House, on a resolution to deal with the employer health tax—I still really believe that we should probably check very thoroughly whether it's worthwhile continuing with this sort of levy for the purposes of health insurance. That has been underscored again by the recent indication that the government will not cover certain members of the families of non-Canadian, but resident, executives of companies in the province of Ontario.

In particular, people who come from outside Canada to serve in a company capacity in Ontario will find themselves probably not covered, or at least the earliest indication is that they won't be covered, in the province even though their salaries are subject to an EHT levy. It is for sure that the dependants of those people who also come with them will not be covered, unless the dependants happen to be born in the province.

It seems to be me to be a very unfair result indeed. In fairness, I've spoken to the Premier and the Minister of Health and they assure me that they are taking some steps to find out how they can respond more favourably to an obvious problem which was not intended. In any event, in that circumstance a company may have been forced to pay a huge amount of EHT and get no coverage at all for certain of the people who are working there. The whole idea before, of course, was that anybody who was working would be covered on the health insurance plan by being included as part of the payroll deduction equations.

From my standpoint, we really have to ask ourselves whether the tinkering we're doing here—and in some ways it could be seen to be a little more than tinkering, since we're getting about \$400 million of revenue with it—is playing around the edges on this tax. If I can take a look at what is happening in the province, it must drive everybody crazy trying to keep up with the new missives that come out of the Ministry of Revenue.

I don't mean to take aim at the people at Revenue; they do what is required of them by the Minister of Finance and others who need the money. But we just seem to be, day after day, sending out a new missive on this, closing off this loophole, opening up another couple of loopholes because you found that the first missive didn't exactly do all the things you wanted. From my point of view, part of the simplification of our tax system could be the elimination of some of these specifically targeted taxes.

I suspect that at some stage or another there would be a Revenue employee somewhere who probably would say, "Thank God for the elimination of some of these," because then they wouldn't have to carry so many rules and regulations and binders and bills around in the backs of their cars when they go out to see the various people they see.

I think one of the more disconcerting scenes would be to see an auditor from the Ministry of Revenue come driving up to my small business and then unload 17 different kits so they could do one consolidated audit on all of my books. I might be forced to have that audit person in my place of business for weeks on end, at a time when I probably wouldn't have the margin to support that sort of activity.

In any event, we are here to try to do something with this Act. We have made it clear that our preference is to look for another source of revenue; we don't have it at this stage, but at some stage I think there has to be a statement made that says that small business must receive some alleviation from part of the onerous problems that have been dealt to it by the employer health tax.

As I said earlier, if you are a small business and you do a certain level of business in the province, it doesn't matter what your profit margin is; you are caught. From my standpoint, that is an unfortunate consequence.

This being a bill from another budget, we will probably be faced with another bill from this budget, which will try and amend again the Employer Health Tax Act. I don't find that particularly helpful, in the sense that we will just get done with this one a year after the fact and

probably won't get to deal with the other bill for some time. In fact, it's too bad that it hadn't been brought forward and done right now with the rest of this stuff. In fact, that's probably what was suggested by some other people.

From my standpoint, we will be playing at the edges again and there will be an exception built in to one of the sections which we have now not bothered dealing with under this Bill 110 amendment to the Employer Health Tax Act. I think that's problematic. I think it's interesting to note, too, that under the changes in the new budget some of the people who will be presumably included for the first time by this Bill 110 will be allowed to exclude part of their new payroll for this year under the auspices of this budget, so that there will be another set of directives and missives sent out. I find that unfortunate. It must be most difficult for the people to understand why all of these things happen one year after another.

In fact, the employer health tax is not that old to begin with, and here we are going to have an amendment passed presently, depending on when this thing comes back for third reading, and we will get another batch very shortly from the Minister of Finance. That type of activity, the ups and the downs and the sideways that we put these people through, has got to cease and desist. The sending of all this paper has got to stop. We have to, in my view, start being much more efficient in our own legislative scheme than we have been to this point.

If it's such an important issue, why wasn't the new payroll item thought about before? If it was so high on the priority list, why has it taken so long to bring it to this point?

These are just some of the comments that I make surrounding the sections that we have just dealt with. The fact that the amendment to 39 is actually an attempt to do something with the small business problems is at least to be commended if not commendable, because I think that there were some games being played. Obviously, it's part of the Harris plan to have his revolutionaries pick up the fife and drum and beat something to death, if not their own political ideology.

In any event, I think that the problems are much more deep-founded than the tinkering which has been proposed by my friend the member for Wellington or indeed by the revolutionaries off to my left but their right. I like the idea of doing something, but the politicizing and politicking of this event by the Tories is nothing more than a charade which ought to be dealt with summarily.

Mr Sutherland: I just wanted to add a couple of comments, not to prolong this debate too long, because the member for Bruce was almost starting to get engaged in a full debate about health care and who should be covered and who shouldn't be. Obviously, we don't want to get into that.

I do want to correct him on a couple of points. Again, I apologize if earlier I left the impression that the changes we're making in this specific bill are bringing in \$400 million in extra revenue. They are only bringing in \$40 million, because the specific change we're making here is to the self-employed, who are now being covered, who weren't covered before. The \$400-million figure was in

reference to total small business, the amount of employer health tax that's coming in there. Staff from the Ministry of Finance, not the Ministry of Revenue, assure me now that most of the material they need to go in auditing is in the laptop computer with them and makes the process a little more efficient.

1720

Let me just say, though, that as the member for Bruce pointed out, there are challenges in finding out where the revenue should come from. The Liberals haven't quite come up with an idea as to where it should. I give credit to the third party. Even though I fundamentally disagree with the Common Sense Revolution, at least they're trying to be clear as to where they stand on the issue. I believe we've been very clear in terms of we've had to put a budget document. All of us will be waiting to see whether there's clarity coming from the rest of the parties represented in this House.

Mr Arnott: I don't want to unnecessarily prolong this debate because I thought it was coming to a conclusion and I think we've made our point. The member for Bruce has chastised us for playing games or whatever, suggesting that we're tinkering with this proposal, this package of amendments. Tinkering? This package of amendments is to reduce and eliminate the payroll tax for every small business under \$400,000 in payroll. Tinkering, I would give to the member for Bruce, is included in the Lyn McLeod Commitment to Jobs and Growth, this policy paper that the Liberals put out two or three weeks ago, where in fact they propose—this is the terminology—“Examining the establishment of a payroll tax credit for companies hiring new workers.”

It's a very, very careful suggestion and it's worded very, very carefully so as not to really upset anybody. I believe what the government has done in its budget is tinkering with the employer health tax because it is suggesting that for one year the new jobs that will be created in small business won't have health tax applied. But we're talking about a fundamental, permanent reduction in the tax facing small business.

This Liberal paper also talks about payroll taxes being a direct inhibition to job creation. I just wish that the philosophy of the Liberal Party, when it had been in government, had been more consistent with what it's saying today.

Mr David Johnson: I guess I won't say anything more about the tinkering because we've all agreed that the NDP and the Liberals are tinkering with the budget numbers and the Progressive Conservatives are offering quite a change from the past.

But I am surprised that the parliamentary assistant was unaware, first of all, of how much money was being generated by this particular extension of the employer health tax. Now it appears that it's \$35 million; I think that's what I've heard him say. My understanding was that \$45 million was the estimate in the first instance of how much revenue would accrue to the government. If I'm reading that correctly, then there is a shortfall of about \$10 million in terms of the estimate. Perhaps the parliamentary assistant would comment on that.

Further, I'm very surprised that there's no idea of the government cost, the number of people required to collect this tax. We're not only looking in terms of collecting a tax but in terms of the forms that are associated with this tax and the cost of them. We're looking at appeals that are available and the costs associated with vetting those appeals and making decisions on those appeals. We're looking at audits that are involved with this. We're looking at a broad cost associated with supervising this particular tax.

I'm surprised that the parliamentary assistant is unable to give us any indication of how much extra cost is associated with this tax. We know the burden on individuals who have to pay it, but how much cost is associated with collecting this tax so we can compare it with the \$35 million?

While he's thinking about that, the audit was mentioned. I apologize that I was called out of the House for a minute and I missed section 14. But perhaps the parliamentary assistant would comment on section 14, which allows an auditor to enter, without a warrant, any premise or place where the business is being carried on. Bearing in mind that we are talking about self-employed people, the vast majority of the self-employed people would be working out of their own house.

Mr Elston: You've already asked this question.

Mr Arnott: He wasn't here.

Mr David Johnson: I wasn't here, and I understand the question had a slightly different slant to it, but if not, then just tell me that it's already been answered. But (a) it seems draconian that an auditor could enter into anybody's house without a warrant—

The Chair (Mr Gilles E. Morin): Order, please. We're dealing with subsections 39(5) and (6) of the bill. I just want to remind you of that.

Mr David Johnson: I'll just bring it to a close, then, because unfortunately I was called out of the House. It seems draconian that an auditor would be able to enter without warrant into anybody's house, examine anybody's house because that's where the business is carried out, and question any person. Those people would undoubtedly be the children or the spouse or relatives of the individual involved. That is the kind of power that we see in this bill. I'm wondering if I'm reading that correctly and if that indeed is the kind of power that the parliamentary assistant believes is proper in Ontario in the 1990s.

The Chair: Parliamentary assistant, do you wish to make any comments?

Mr Sutherland: To the member for Don Mills on his last remark about the provision regarding entering to do audits, that is a fairly standard provision in tax bills and from my understanding has been in place for quite a while.

Let me also say that he raised a question earlier as to whether we've achieved the amounts that were estimated in the budget when we first brought this in. I believe he's referring of course to the provision covering the self-employed. That was brought in in the 1992 budget. This bill also incorporates changes that were made in 1993.

Because the employer health tax wasn't deductible, there was a tax credit provision put in, so that change in 1993 had some impact on what the overall revenue was.

In his question regarding the cost of collection and administration, while I'm told that it's hard to definitely say on this provision regarding the self-employed, I'm told in general on the employer health tax that it costs about 47 cents for every \$100 collected.

The Chair: Any further questions or comments? We're now voting on subsections 39(5) and (6) of this bill. Is it the pleasure of the committee that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it. I declare this vote stacked.

We're now dealing with section 40. Are there any questions? Are there any amendments?

Does section 40 carry? Carried.

By prior agreement, any divisions on Bills 110 and 138 will be taken upon completion of consideration of both bills today.

1730

RETAIL SALES TAX AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT LA LOI SUR LA TAXE DE VENTE AU DÉTAIL

Consideration of Bill 138, An Act to amend the Retail Sales Tax Act / Projet de loi 138, Loi modifiant la Loi sur la taxe de vente au détail.

The Chair (Mr Gilles E. Morin): Any questions or any amendments to Bill 138? If so, would you please state them.

Mr Kimble Sutherland (Oxford): I have an amendment to section 5 of the bill.

The Chair: Any further amendments?

Shall sections 1 through 4 carry? Carried.

Your amendment, please.

Mr Sutherland: I move that clauses 3.1(1)(c), (d) and (e) of the Retail Sales Tax Act, as set out in section 5 of the bill, be struck out and the following substituted:

"(c) \$0.26 per litre of beer or wine delivered to the person on or after August 1, 1993, and before April 19, 1994;

"(d) \$0.13 per litre of beer or wine delivered to the person on or after April 19, 1994."

The Chair: Are there any comments? Any questions?

Mr David Johnson (Don Mills): I'll be supporting this amendment in the sense that it reduces the tax burden on what are called the you-brews. The original tax was 26 cents, and I gather that stays intact: 26 cents per litre on beer or wine through the businesses where you go in and you brew your own beer or you make your own wine.

From what I can understand now, the amendment is that there will be another tax added on top of that, 13 cents, but that is less than—or the tax has been reduced, I guess. Perhaps a little clarification from the parliamentary assistant: Has the tax actually been reduced? Is the

13 cents a reduction in the tax or is the 13 cents on top of the tax that is already there? That's one part of the question.

The other part of the question is, does the parliamentary assistant have any statistics for us, since this tax on the you-brews was implemented back last year, on how many of the you-brews have gone out of business between then and now?

My understanding was that there were over 200 you-brews in the province of Ontario, and I believe somewhere in the vicinity of 30 or 40 have gone out of business, because since this tax was implemented, their business declined considerably and several of them have gone bankrupt. I wonder if the parliamentary assistant has any information on how many have actually gone bankrupt and given up.

Mr Sutherland: Let me say that I can't give the member for Don Mills an exact answer because I don't have those exact figures before me.

Let me also indicate that I think where the member for Don Mills is going on this is trying to say that for any bankruptcies or the you-brews that have gone out of business, the sole reason they've gone out of business was because of the tax we implemented. If we look at the numbers and the statistics for small business in general, what we do know is that many small businesses, a large proportion of them, don't make it past the five-year mark in general.

Hon Fred Wilson (Minister without Portfolio and Chief Government Whip): Especially in a niche market.

Mr Sutherland: As my colleague from Frontenac-Addington adds as well, especially in a niche market, which the folks who are operating you-brews are in.

I think we also need to remember that with the taxes imposed on the you-brews or produce-your-own beer or wine, those products were still much cheaper than any of the other type of beer or wine that is legally available in the province.

The Chair: Any further questions? Any further comments?

Mr Dalton McGuinty (Ottawa South): I want to speak to this issue. I've spoken to it I guess at least half a dozen times in this House. I want to paint a little bit of a picture in terms of the setting for this industry, which really was an anomaly in our province in terms of small business enterprise.

In four years, starting in 1990, this business grew to 235 outlets. The small business entrepreneurs involved sank \$50 million into their businesses, an average \$200,000 investment. These people mortgaged their homes and gave up their day jobs and they employed over 2,000 people. This is an example of small business at its very best and all of this again, to remind us, and I think it is very important, occurred during the deep, dark depths of the recession.

I think the government and our Treasurer speak loudly when they reduce this tax, and what they're telling us is that they made a terrible, terrible mistake which resulted in a loss of 400 jobs and the shutdown of at least 30

small businesses. I think the parliamentary assistant is mistaken in suggesting that this new tax that was imposed effective August 1 of last year did not present a very real obstacle for the continuing success of those businesses. The minister in fact had no choice but to roll back the tax. The tragic part of all of this is that it took the government so long to get its act together and to recognize the severe damage this tax was causing.

I am concerned as well by the fact the parliamentary assistant again makes reference, as the Treasurer has in this House, to the fact that beer that you make for yourself in a you-brew is substantially cheaper than when you buy it at the beer store, and of course that's correct. But when you go to the beer store you have a significant advantage, in one sense. All you do is slap down cash. When you go to a you-brew, there are two parts to the consideration, so to speak, that you're investing: One, you put in money, and two, you put in your time.

At some point, because everybody places some value on their time, it no longer becomes economically viable for you as an individual to go to the you-brews and it becomes cheaper, when you factor in your time, simply to go to the beer store and that's what happened here. We put a brand-new tax on the beer that you make at a you-brew of 26 cents a litre which hadn't been there before at all. As soon as you slapped that on, that drove off a number of customers.

We shouldn't lose sight of the fact, either, that these customers were already paying taxes. They pay provincial sales tax on the ingredients at the you-brew and they pay GST on the service component, so they're already paying all kinds of taxes and then the government hit them with a new one. Had the government properly done its homework with respect to this issue and, as well, listened to the concerns that were raised by the industry which predicted most capably the serious fallout effect the tax would have, I think the government would have not gone ahead with this tax. Instead, what we have today is a scenario where the government has decided it's going to roll back the tax. That's good news, but again, the bad news is we've lost 400 jobs in the interim, we've put those people out of work, they're now on social assistance or assistance of some kind, and we've shut down 30 businesses, and that is a tragedy.

Mr Sutherland: I want to respond a bit to the comments from the member for Ottawa South. Again, I want to indicate to him that I think his assertion that somehow this tax was responsible for all the loss of jobs or loss of businesses in this industry is simply not the case. I certainly hear it from some people who would argue that brew-your-owns came about by taking advantage of what some would perceive as a tax loophole, in terms of the fact that they found a way people wouldn't have to pay tax, in effect doing the same things as the so-called larger breweries do except that in this case what they were really doing was renting their brewery out to an individual person to come in and do that. As a result of some court rulings back in the 1980s, this allowed them to do this process. So I think we need to keep that in mind.

I think we also need to keep in mind that, as a general

policy of this province and, I would say, as a policy of all the governments here, whether that be a Conservative government when they were in power, whether that be a Liberal government, and through this one, there has always been a policy in place that on spirits of all kinds—wine, beer, distilled spirits—there should be some form of tax. That does act as a deterrent in terms of our responsibility in trying to encourage responsible drinking and not excessive drinking. That policy has worked as a deterrent in that case throughout the province. So now we get down to the specifics of this situation with the brew-your-own.

1740

Mr McGuinty: One fact that I think is important for us to recognize, that outlines the significance or the importance of this particular industry, is that it is extremely labour-intensive. Although the you-brews occupy only 2% of the market, they employ, as I understand, about 40% of all of the people who work in the brewing industry in this province. That's why it's critical that the government lay whatever groundwork is necessary in order to act as a support system rather than as a deterrent.

The parliamentary assistant raises the issue of taxation on alcoholic beverages and I guess the traditional argument that's been advanced that this acts as a deterrent when it comes to drinking. I think there's probably an element of merit to that.

The concern I have is that this was a most legitimate form of business. There was nothing in the law that prevented people from doing that. I just think that if we are going to make an effort in this province to clamp down on people who are going to engage in a legal activity, who are going to go out with some friends down to a you-brew, buy some ingredients, mix the stuff together and come back in a few weeks, shake it up or whatever they do, and then bring the stuff home and enjoy it when they're doing whatever they do at home, watching the hockey game, for instance, I don't think that we should be, as a government, trying to eliminate or curtail that kind of activity.

I think we've got to start rethinking perhaps some of those policies, because as a businessman told me the other day, he said, "The problem that I have is you guys"—referring to politicians generally—"are making it harder and harder to play by the rules." He tells me, "I want to play by the rules, I want my kids to play by the rules, but politicians are essentially driving us underground."

That's my concern when we begin to tax people beyond a point of goodwill, if you will, to the point where they resort to engaging in black market activity and we lose the revenue that we normally can expect from a population that believes our taxes are fair. I think we're dangerously close to the edge in terms of pushing too many people into the black market.

Mr Sutherland: I appreciate the comments from Ottawa South. I guess the point is, how do we strike an appropriate balance between these different concerns? I believe the amendment being put forward helps to do that and does recognize that this is a new and growing industry and that sometimes in new industries and in

growth there needs to be a bit of accommodation there. I believe the Minister of Finance has recognized that fact.

I hope you told that business person you were talking to the other day all the good things in the 1994 budget that are going to make it easier for him as a small business person to operate in terms of some of the clearing-the-path initiatives, the one-stop health centres that are going to be started up by September 1 and, of course, the incentive there under the employer health tax to hire new people. I'm certainly sure that as a responsible member, the member for Ottawa South gave all that information to this business person to show that politicians do respond to the concerns of all people, including small business people.

Mr David Johnson: It's good to see a little bit of a tiff going on here between the Liberals and the NDP. It's interesting that we're talking in section 5 about a tax increase to small business people, and the parliamentary assistant says that in terms of this particular tax, you can't put all the blame that some three dozen of the you-brews have gone bankrupt in a period of about a year, out of about 230.

I talked to the fellow who is up the street from me in a you-brew, and he says that when this tax went in, his business plummeted to less than half overnight, down to about 40% of what it was in the period before the tax. It's interesting to see the NDP come under fire for that.

The Chair: Would you please take your seat. It's now 5:45, and by our prior agreement we will now take a vote. We have several divisions on Bill 110. Call in the members. This will be a 10-minute bell.

The division bells rang from 1746 to 1756.

EMPLOYER HEALTH TAX AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT LA LOI
SUR L'IMPÔT PRÉLEVÉ SUR LES EMPLOYEURS
RELATIF AUX SERVICES DE SANTÉ

Deferred vote on motions to amend Bill 110, An Act to amend the Employer Health Tax Act and the Workers' Compensation Act / Projet de loi 110, Loi modifiant la Loi sur l'impôt prélevé sur les employeurs relatif aux services de santé et la Loi sur les accidents du travail.

The Chair (Mr Gilles E. Morin): We're now voting on Bill 110, several votes on Bill 110. We'll start with the first one, the amendment introduced by Mr Arnott: subsection (1.1).

All those in favour will please rise and remain standing.

All those opposed will please rise and remain standing. The ayes are 28, the nays 61. I declare the motion lost.

We're now dealing with subsection 1(5). All those in favour of the motion will please rise. Same vote?

The ayes are 28, the nays 61. I declare the motion lost.

We're now voting on subsection 1(8). Same vote?

The ayes are 28, the nays 61. I declare the motion lost. Subsection 1(8). Same vote?

The ayes are 28, the nays 61. I declare the motion lost. Subsection 1(10). Same vote?

The ayes are 28, the nays 61. I declare the motion lost.

Is section 1 carried? Carried.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Same vote, reversed? The ayes are 61, the nays 28. I declare the motion carried.

We're now dealing with a new section, section 1.1, an amendment introduced by Mr Arnott.

All those in favour will please rise. Same vote, reversed?

The ayes are 28, the nays 61. I declare the motion lost.

We're now dealing with Mr Arnott's amendment to subsection 2(2). Same vote?

The ayes are 28, the nays 61. I declare the motion lost.

We're now dealing with Mr Arnott's amendment, subsection 2(2). Same vote?

The ayes are 28, the nays 61. I declare the motion lost.

Shall section 2 carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

We're now dealing with section 3, an amendment brought by Mr Arnott, subsection 3(1). Same vote?

The ayes are 28, the nays 61. I declare the motion lost.

We're now dealing with an amendment to subsection 3(2) by Mr Arnott. Same vote?

The ayes are 28, the nays 61. I declare the motion lost.

We're now dealing with an amendment to section 3 by Mr Arnott.

The ayes are 28, the nays 61. I declare the motion lost.

Shall section 3 carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. I declare the section carried.

We're now dealing with section 5, an amendment to subsection 5(6) introduced by Mr Arnott. Same vote?

The ayes are 28, the nays 61. I declare the motion lost.

Shall section 5 carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. I declare the motion carried.

We're now dealing with section 6. This section was deferred.

All those in favour will please rise.

All those opposed will please rise.

The ayes are 61, the nays 28. I declare the motion carried.

We're now dealing with section 7, an amendment to section 7 introduced by Mr Arnott. Same vote, reversed?

The ayes are 28, the nays 61. I declare the motion lost.

Shall section 7 carry? Carried.

We're now dealing with section 13, an amendment to

section 13 introduced by Mr Arnott. Same vote?

The ayes are 28, the nays 61. I declare the motion lost.

Shall section 13 carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. I declare section 13 carried.

We're now dealing with subsection 38(3), an amendment introduced by Mr Arnott. Same vote?

The ayes are 28, the nays 61. I declare the motion lost.

Shall section 38 carry?

All those in favour will please say "aye."

All those opposed will please say "nay." In my opinion, the ayes have it. I declare section 38 carried.

We're now dealing with section 39, an amendment to subsections (5) and (6) introduced by Mr Arnott. Same vote?

The ayes are 28, the nays 61. I declare the motion lost.

Shall section 39 carry? Carried.

Shall the title carry? Carried.

Shall I report the bill to the House?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it. Same vote?

The ayes are 61, the nays 28. I declare the motion carried.

Hon Brian A. Charlton (Government House Leader): Mr Chair, I move that the committee rise and report.

The Chair: Is it the pleasure of the committee that the motion carry? Carried.

The Deputy Speaker (Mr Gilles E. Morin): The committee of the whole House begs to report one bill and asks for leave to sit again.

Shall the report be received and adopted? Agreed.

Being past 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 1807.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux: Alex D. McFedries

Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités: Deborah Deller

Sergeant at Arms/Sergent d'armes: Thomas Stelling

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma	Wildman, Hon/L'hon Bud (ND) Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Energie, ministre délégué aux Affaires autochtones	Grey-Owen Sound	Murdoch, Bill (PC)
Algoma-Manitoulin	Brown, Michael A. (L)	Guelph	Fletcher, Derek (ND)
Beaches-Woodbine	Lankin, Hon/L'hon Frances (ND) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce	Halton Centre/-Centre	Sullivan, Barbara (L)
Brampton North/-Nord	McClelland, Carman (L)	Halton North/-Nord	Duignan, Noel (ND)
Brampton South/-Sud	Callahan, Robert V. (L)	Hamilton Centre/-Centre	Christopherson, Hon/ L'hon David (ND) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Brant-Haldimand	Eddy, Ron (L)	Hamilton East/-Est	Mackenzie, Hon/L'hon Bob (ND) Minister of Labour / ministre du Travail
Brantford	Ward, Hon/L'hon Brad (ND) Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances	Hamilton Mountain	Charlton, Hon/L'hon Brian A. (ND) Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et ministre délégué à l'Assurance-automobile
Bruce	Elston, Murray J. (L)	Hamilton West/-Ouest	Allen, Hon/L'hon Richard (ND) Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce
Burlington South/-Sud	Jackson, Cameron (PC)	Hastings-Peterborough	Buchanan, Hon/L'hon Elmer (ND) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Cambridge	Farnan, Hon/L'hon Mike (ND) Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation	High Park-Swansea	Ziemba, Hon/L'hon Elaine (ND) Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Carleton	Sterling, Norman W. (PC)	Huron	Kiopp, Paul (ND)
Carleton East/-Est	Morin, Gilles E. (L)	Kenora	Miclash, Frank (L)
Chatham-Kent	Hope, Randy R. (ND)	Kingston and The Islands / Kingston et Les Îles	Wilson, Gary (ND)
Cochrane North/-Nord	Wood, Len (ND)	Kitchener	Ferguson, Will (Ind)
Cochrane South/-Sud	Bisson, Gilles (ND)	Kitchener-Wilmot	Cooper, Mike (ND)
Cornwall	Cleary, John C. (L)	Lake Nipigon/Lac-Nipigon	Pouliot, Hon/L'hon Gilles (ND) Minister of Transportation, minister responsible for francophone affairs / ministre des Transports, ministre délégué aux Affaires francophones
Don Mills	Johnson, David (PC)	Lambton	MackKinnon, Ellen (ND)
Dovercourt	Sillipo, Hon/L'hon Tony (ND) Minister of Community and Social Services / ministre des Services sociaux et communautaires	Lanark-Renfrew	Jordan, Leo (PC)
Downsview	Perruzza, Anthony (ND)	Lawrence	Cordiano, Joseph (L)
Dufferin-Peel	Tilson, David (PC)	Leeds-Grenville	Runciman, Robert W. (PC)
Durham Centre/-Centre	White, Drummond (ND)	Lincoln	Hansen, Ron (ND)
Durham East/-Est	Mills, Gordon (ND)	London Centre/-Centre	Boyd, Hon/L'hon Marion (ND) Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
Durham West/-Ouest	Wiseman, Jim (ND)	London North/-Nord	Cunningham, Dianne (PC)
Durham-York	O'Connor, Larry (ND)	London South/-Sud	Winninger, David (ND)
Eglinton	Poole, Dianne (L)	Markham	Cousens, W. Donald (PC)
Elgin	North, Peter (Ind)	Middlesex	Mathysen, Irene (ND)
Essex-Kent	Hayes, Pat (ND)	Mississauga East/-Est	Sola, John (Ind)
Essex South/-Sud	Crozier, Bruce (L)	Mississauga North/-Nord	Offer, Steven (L)
Etobicoke-Humber	Henderson, D. James (L)	Mississauga South/-Sud	Marland, Margaret (PC)
Etobicoke-Lakeshore	Grier, Hon/L'hon Ruth (ND) Minister of Health / ministre de la Santé		
Etobicoke-Rexdale	Philip, Hon/L'hon Ed (ND) Minister of Municipal Affairs, minister responsible for the office for the greater Toronto area / ministre des Affaires municipales, ministre responsable du Bureau de la région du grand Toronto		
Etobicoke West/-Ouest	Stockwell, Chris (PC)		
Fort William	McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition		
Fort York	Marchese, Rosario (ND)		
Frontenac-Addington	Wilson, Hon/L'hon Fred (ND) Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga West/-Ouest	Mahoney, Steven W. (L)	St Andrew-St Patrick	Akande, Zanana L. (ND)
Muskoka-Georgian Bay	Waters, Daniel (ND)	St Catharines	Bradley, James J. (L)
Nepean	Daigeler, Hans (L)	St Catharines-Brock	Haec, Christel (ND)
Niagara Falls	Harrington, Margaret H. (ND)	St George-St David	Murphy, Tim (L)
Niagara South/-Sud	Coppen, Hon/L'hon Shirley (ND) Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs	Sarnia	Huget, Bob (ND)
Nickel Belt	Laughren, Hon/L'hon Floyd (ND) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony (ND)
Nipissing	Harris, Michael D. (PC)	Scarborough-Agincourt	Phillips, Gerry (L)
Norfolk	Jamison, Norm (ND)	Scarborough Centre/-Centre	Owens, Stephen (ND)
Northumberland	Fawcett, Joan M. (L)	Scarborough East/-Est	Frankford, Robert (ND)
Oakville South/-Sud	Carr, Gary (PC)	Scarborough-Ellesmere	Warner, Hon/L'hon David (ND) Speaker / Président
Oakwood	Rizzo, Tony (ND)	Scarborough North/-Nord	Curling, Alvin (L)
Oriole	Caplan, Elinor (L)	Scarborough West/-Ouest	Swarbrick, Hon/L'hon Anne (ND) Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Oshawa	Piilkey, Hon/L'hon Allan (ND) Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales	Simcoe Centre/-Centre	Wessenger, Paul (ND)
Ottawa Centre/-Centre	Gigantes, Hon/L'hon Evelyn (ND) Minister of Housing / ministre du Logement	Simcoe East/-Est	McLean, Allan K. (PC)
Ottawa East/-Est	Grandmaître, Bernard (L)	Simcoe West/-Ouest	Wilson, Jim (PC)
Ottawa-Rideau	O'Neill, Yvonne (L)	Sudbury	Murdock, Sharon (ND)
Ottawa South/-Sud	McGuinty, Dalton (L)	Sudbury East/-Est	Martel, Hon/L'hon Shelley (ND) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Ottawa West/-Ouest	Chiarelli, Robert (L)	Timiskaming	Ramsay, David (L)
Oxford	Sutherland, Kimble (ND)	Victoria-Haliburton	Hodgson, Chris (PC)
Parkdale	Ruprecht, Tony (L)	Waterloo North/-Nord	Witmer, Elizabeth (PC)
Parry Sound	Eves, Ernie L. (PC)	Welland-Thorold	Kormos, Peter (ND)
Perth	Haslam, Karen (ND)	Wellington	Arnott, Ted (PC)
Peterborough	Carter, Jenny (ND)	Wentworth East/-Est	Morrow, Mark (ND)
Port Arthur	Wark-Martyn, Hon/L'hon Shelley (ND) Minister without Portfolio, Ministry of Health / ministre sans portefeuille, ministère de la Santé	Wentworth North/-Nord	Abel, Donald (ND)
Prescott and Russell / Prescott et Russell	Poirier, Jean (L)	Willowdale	Harnick, Charles (PC)
Prince Edward-Lennox-South Hastings/ Prince Edward-Lennox-Hastings-Sud	Johnson, Paul R. (ND)	Wilson Heights	Kwinter, Monte (L)
Quinte	O'Neil, Hugh (L)	Windsor-Riverside	Cooke, Hon/L'hon David S. (ND) Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main-d'œuvre
Rainy River	Hampton, Hon/L'hon Howard (ND) Minister of Natural Resources / ministre des Richesses naturelles	Windsor-Sandwich	Dadamo, George (ND)
Renfrew North/-Nord	Conway, Sean G. (L)	Windsor-Walkerville	Lessard, Wayne (ND)
Riverdale	Churley, Hon/L'hon Marilyn (ND) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	York Centre/-Centre	Sorbara, Gregory S. (L)
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Noble (PC)	York East/-Est	Malkowski, Gary (ND)
		York Mills	Turnbull, David (PC)
		York-Mackenzie	Beer, Charles (L)
		York South/-Sud	Rae, Hon/L'hon Bob (ND) Premier, President of the Executive Council, Minister of Inter-governmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
		Yorkview	Mammoliti, George (ND)

CONTENTS

Monday 16 May 1994

MEMBERS' STATEMENTS

Mining industry	
Mr Miclash	6309
Community college governance	
Mrs Witmer	6309
The Speaker	6309
Health care	
Mr Frankford	6309
Regulation of mortgage brokers	
Mr Phillips	6310
Public safety	
Mr Runciman	6310
Police Week	
Mr Sutherland	6310
Public safety	
Mr Chiarelli	6311
William Howland	
Mr Sterling	6311
Progressive Conservative Party plan	
Mr Abel	6311

ORAL QUESTIONS

Sale of ammunition	
Mrs McLeod	6311
Mrs Boyd	6312
Non-utility generation	
Mrs McLeod	6313
Mr Wildman	6313
Purchase of land	
Mr Stockwell	6313
Mr Wildman	6314
Highway construction	
Mr Sterling	6314
Mr Pouliot	6314
Mrs McLeod	6315
Waste disposal	
Mr Tilson	6316
Mr Wildman	6316
Mr Offer	6316
Access to family support information	
Mr Malkowski	6316
Mrs Boyd	6316
Business in Ontario	
Mr David Johnson	6317
Ms Lankin	6317
Young offenders	
Mr O'Connor	6318
Mrs Boyd	6318

Health insurance

Mrs Sullivan	6319
Mrs Grier	6319
Assisted housing	
Mrs Marland	6319
Ms Gigantes	6319
Alternative fuels	
Mrs MacKinnon	6320
Mr Buchanan	6320

PETITIONS

Kettle Island bridge	
Mr Morin	6320
Health insurance	
Mrs Sullivan	6321
Sexual orientation	
Mr Arnott	6321
Ms Poole	6322
Mrs Witmer	6323
Niagara Escarpment	
Mr Duignan	6321
Education financing	
Mr Ruprecht	6321
Emergency services	
Mrs Mathysen	6321
Tobacco packaging	
Mr Offer	6321
Mr Runciman	6322
Mr Gary Wilson	6322
Video games	
Mrs Witmer	6322
Firearms safety	
Mr Gary Wilson	6322

FIRST READINGS

City of Stoney Creek Act, 1994,	
Bill Pr62, <i>Mr Morrow</i>	
Mr Morrow	6323
Agreed to	6323

THIRD READINGS

Residents' Rights Act, 1994, Bill 120,	
<i>Ms Gigantes</i>	
Ms Gigantes	6323, 6331
Mrs Marland	6323
Mr Cordiano	6326
Mr Callahan	6328
Mr David Johnson	6329
Mr Owens	6330
Agreed to	6331

COMMITTEE OF THE WHOLE HOUSE

Employer Health Tax Amendment Act, 1993, Bill 110, <i>Mr Laughren</i>	
Mr Arnott	6332
Mr Mahoney	6332
Mr Sutherland	6332
Mr David Johnson	6333
Mr Eves	6333
Mr Elston	6334
Report adopted	6343
Retail Sales Tax Amendment Act, 1993, Bill 138, <i>Mr Laughren</i>	
Mr Sutherland	6340
Mr David Johnson	6340
Mr McGuinty	6340
Progress reported	6342

OTHER BUSINESS

Estimates	
Mr Charlton	6309
The Speaker	6309

TABLE DES MATIÈRES

Lundi 16 mai 1994

TROISIÈME LECTURE

Loi de 1994 modifiant des lois en ce qui concerne les immeubles d'habitation, projet de loi 120, <i>M^{me} Gigantes</i>	
<i>M^{me} Gigantes</i>	6323
Adoptée	6331

COMITÉ PLÉNIER

DE L'ASSEMBLÉE LÉGISLATIVE

Loi de 1993 modifiant la Loi sur l'impôt prélevé sur les employeurs relatif aux services de santé, projet de loi 110, <i>M. Laughren</i>	
Rapport fait	6343
Loi de 1993 modifiant la Loi sur la taxe de vente au détail, projet de loi 138, <i>M. Laughren</i>	
<i>M. Laughren</i>	6340
Étude ajournée	6342

x1
-023

No. 131

N° 131

ISSN 1180-2987

**Legislative Assembly
of Ontario**

Third Session, 35th Parliament

**Assemblée législative
de l'Ontario**Troisième session, 35^e législature**Official Report
of Debates
(Hansard)**

Tuesday 17 May 1994

**Journal
des débats
(Hansard)**

Mardi 17 mai 1994

Speaker
Honourable David WarnerClerk
Claude L. DesRosiersPrésident
L'honorable David WarnerGreffier
Claude L. DesRosiers*50th anniversary**1944-1994**50^e anniversaire*

Hansard is 50

Hansard reporting of complete sessions of the Legislative Assembly of Ontario began on 23 February 1944 with the 21st Parliament. A commemorative display may be viewed on the main floor of the Legislative Building.

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats a 50 ans

Le reportage des sessions intégrales de l'Assemblée législative de l'Ontario, fait par le Journal des débats, a commencé le 23 février 1944 avec la 21^e législature. Une exposition pour marquer cet événement est étalée au premier étage de l'Édifice du Parlement.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 17 May 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 17 mai 1994

The House met at 1332.

Prayers.

MEMBERS' STATEMENTS HIGHWAY CONSTRUCTION

The Speaker (Hon David Warner): The honourable member for Nepean.

Mr Hans Daigeler (Nepean): Thank you very much, in particular for giving me the epithet honourable. Its time will come.

Last Friday the Liberal MP for Leeds-Grenville, Jim Jordan, received written confirmation from the Honourable Art Eggleton that the federal government will contribute one third of the cost for the completion of Highway 416. This is great news indeed for all of eastern Ontario, and I thank Jim Jordan for his untiring efforts in this regard. The ball is now squarely in Bob Rae's court.

On November 20, 1990, the then Transportation minister, Ed Philip, assured me personally in this House that Highway 416 would be completed on time as planned by the Peterson government. The NDP's promise was broken without any advance warning a short year later. Now is the time to put this commitment back on track.

With the federal contribution, the Ontario government will save at least \$60 million. Hence, there's absolutely no reason why we should have eastern Ontario taxpayers pay tolls on top of the federal moneys, as suggested by the current Minister of Transportation.

The NDP can't have its cake and eat it too. The federal government has made a strong commitment towards eastern Ontario. Let Bob Rae and his cabinet members do the same. Eastern Ontario deserves no less.

HARRIS LODGE 216

Mr David Tilson (Dufferin-Peel): I rise in this House to acknowledge and congratulate the Freemasons of Harris Lodge 216 in Orangeville on their 125th anniversary. The Orangeville Masons were formed on May 26, 1869, and it is the oldest fraternal organization still in existence in Orangeville today. The Harris Lodge in Orangeville has a membership of 175 men who believe in brotherly love, charity and truth.

The aim and objective of the Harris Lodge has always been to promote goodwill, charity and benevolence among its members. There are approximately 250,000 Masons in Canada, 80,000 in Ontario.

The history of Masonry traces its roots to the early 13th century in England when stonemasons required freedom to travel from city to city. From its humble beginnings, Masonry has spread worldwide. There are Masons in England, Scotland, Ireland, Wales, Holland, Germany, South Africa, Australia and New Zealand. Men

from all walks of life and religions have been members. Kings and prime ministers, factory workers and labourers have all been Freemasons.

The Harris Lodge 216 has been active in our community by raising several thousands of dollars which have been distributed to the various charitable organizations within the town of Orangeville. Their participation in various community activities includes the annual Christmas parade and sports tournaments. While much of the charitable work of the Masons has been anonymous, their fund-raising efforts have benefited burn units and orthopaedic hospitals. They have also participated in the county of Dufferin drug awareness program.

PROPERTY ASSESSMENT

Mr Anthony Perruzza (Downsview): I rise today to once again call on the government to reform the property tax system, to make it fairer and more affordable by basing it on ability to pay.

Of all the taxes, it is the property tax that is raised and continues to be raised by my constituents as being the most difficult to pay. If you're unemployed, on fixed income, a senior on a basic pension or a young couple on a moderate income struggling to pay for a home and raise a family, this tax becomes a tremendous burden.

The NDP has long maintained that the education portion of property taxes be removed and relocated to a more progressive form of taxation. Successive reports commissioned by several governments have all said the same thing, primarily that our property taxes are extremely unfair.

On November 19, 1992, I introduced a resolution, which passed in this House, that asked that priority be given to reforming the property tax system by removing the education portion of property taxes and shifting the burden for education to a more progressive form of taxation. This view was again supported, more recently, by the Fair Tax Commission's report, a report which was commissioned by this government and which recommends that the education portion of property taxes be eliminated.

I call on this government to make property tax reform a priority.

PUBLIC SAFETY

Mr Robert Chiarelli (Ottawa West): Yesterday the Solicitor General announced with great fanfare a three-month gun amnesty for Ontario citizens to voluntarily turn in their guns with no questions asked.

Although we welcome this announcement, it does little to prevent violent crime and the Solicitor General even says he would be happy if only one gun per police station were turned in. This standard is not acceptable. It indicates that his government is still not prepared to deal with

substantive initiatives. It indicates that his government is not interested in improved enforcement and prosecution of violent criminals.

The Attorney General appears quite content with the current Young Offenders Act. All her public statements show that she's soft on toughening up the act. What does her government say to the innocent victims of a gun-happy Etobicoke 17-year-old whose identity is protected under the act? She also refuses to take strong action on plea bargaining and sentencing in gun-related offences in Ontario courts.

As well, the Rae government can immediately refer Bill 151, An Act to control the Purchase and Sale of Ammunition, to committee of the whole House for quick passage, but as with all enforcement issues, this government continues to waffle.

SCHOOL BREAKFAST PROGRAM

Mrs Dianne Cunningham (London North): For over three years our party has called on the NDP government to spearhead a school-based nutrition program in Ontario. To date, nothing has been done.

Yesterday the Common Sense Revolution travelled to the Holy Angels School in Sault Ste Marie. Mike Harris met with volunteers with the May Court Club, who run a junior snack program at the school. The dedicated volunteers of May Court also provide an emergency snack box program in eight other Sault Ste Marie schools.

Mr Harris met with students in a grade 1 and 2 class who were enjoying juice and trail mix. He was very encouraged to hear one young boy tell his teacher, "I'm full."

1340

Studies have shown that children who go to school hungry tend to do poorly in class, are more disruptive and suffer more health problems. With leadership from the Premier and with private sector and volunteer support, a breakfast or nutrition program can be implemented at little or no cost.

We have been urging the government to act on this initiative and have included it in our Common Sense Revolution plan.

On behalf of Mike Harris and our caucus, I want to thank the May Court Club of Sault Ste Marie and the students and teachers of Holy Angels school for sharing their success story with us.

We encourage the Premier and his ministers to visit schools where nutritional breakfast programs are already in place so that they too will realize the importance of ensuring that no child in Ontario has difficulty learning because he or she is hungry.

SMALL BUSINESS

Mr Rosario Marchese (Fort York): I would like to take this opportunity to direct the attention of this House once again to the problem of access to capital for small business.

We are all aware that small business plays a critical role in employment growth, yet we see increasing evidence of the neglect of small business by our federally chartered banks. Canada's superintendent of financial

institutions reports that banks were making fewer small business loans last year than in 1989. In fact, our banks are closing viable businesses.

Let me cite just one example. Several months ago, my riding's small business group intervened on behalf of Argord Industries, a company forced into receivership by a Canadian bank. Argord had work orders in excess of half a million dollars and 45 employees. Our group succeeded in delaying matters while Argord's owners sought new investors. CBC TV's Venture program reported this case in a national broadcast.

Where is Argord today? The company is doing very well indeed. They have not laid off workers and added to our social assistance rolls. Instead, without bank assistance, Argord has been thriving and hiring additional workers.

I would like to thank the members of the Fort York Small Business Working Group for their work with Argord and their ongoing efforts to protect Ontario's jobs. I would also like to thank the Premier, Minister Laughren and Minister Lankin for listening and for taking important steps in the recent budget to open the door wider to small business.

I will be rising in the House once again to raise this issue, because there is much more that needs to be done.

LEADER OF THE THIRD PARTY

Mr Steven W. Mahoney (Mississauga West): During the 1990 election debate Progressive Conservative leader Mike Harris called himself the only honest politician in Canada. Mr Speaker, you will understand me when I say that the so-called Common Sense Revolution is showing Mike Harris's true colours, and I do not mean red, white and blue.

This morning Mike Harris and the American Revolution stopped by the studios of CITY-TV here in Toronto. When asked point-blank whether or not he made a mistake in hiring Americans to direct his campaign, what did Mike Harris say? Did he tell the truth and admit that hiring Americans was the political mistake of his life? Did he come clean with the Ontario public and say that his \$600,000 campaign is a complete disaster? Did he say he would never again hire Americans and take jobs away from qualified Canadians? No.

Mike Harris's only response was that he should have checked their passports. Checked their passports? Ontarians will remember that originally Mike Harris said there was only one American involved in his campaign. Later he admitted there were two. Now he's saying he didn't know they were American and he should have checked their passports.

Give me a break. If we can't trust Mike Harris with something simple like the number of Americans working on his campaign or whether or not he knew they were American, how is anyone ever going to believe him when he says he'll cut taxes by 30%? It appears that Ontario's own Honest Abe, Mike Harris, is anything but, according to the newspapers and the people of Ontario.

PROGRESSIVE CONSERVATIVE PARTY PLAN

Mr Ted Arnott (Wellington): I am pleased to stand up and endorse once again our Common Sense Revol-

ution document, immediately following the member for Mississauga West, who has indicated a great deal of chagrin about this policy, and we see some interesting pictures across the floor.

But it's interesting and I think we should observe that this plan has come under some degree of scrutiny and observation by some of the other caucuses in this Legislature, yet they refuse to discuss the merits or in any way debate the issues that are outlined in this policy.

In the time I have left, I'd like to talk about how our Common Sense Revolution will help culture in Ontario. As the Culture critic for our party, I have given a great deal of study to this commonsense document.

Interjection.

The Speaker (Hon David Warner): Order. The member for Mississauga West.

Mr Arnott: One of our recommendations is that we should explore the sale perhaps of TVOntario, which is of course an excellent feature of our provincial cultural scene. We look at the operating budget of TVOntario and we wonder if that money could not be better spent directly on programming that would be generated out of the private sector and through private sector involvement.

We question the NDP government's cultural priority which at the present time appears to be its effort to move the head office of Culture to Niagara Falls. I had a meeting with many cultural representatives. They're looking forward to meeting with the Premier to discuss that particular issue.

Mrs Margaret Marland (Mississauga South): Mr Speaker, on a point of order: I was sitting in front of this member during his statement. There was so much noise in this House that I cannot tell you what he was talking about.

Interjections.

The Speaker: Order. The honourable member for Mississauga South indeed has a good point. It would be most helpful, particularly when members have only 90 seconds within which to make a statement, if they would be afforded the courtesy of being able to make that statement without interruption.

WASTE REDUCTION

Mr Kimble Sutherland (Oxford): Like the member for Wellington, I too want to talk about garbage.

Recently a constituent of mine in Oxford was honoured for his waste reduction efforts. Stu Shouldice of Woodstock spends about a half-hour each week sorting through his household garbage. About 95% is either recycled, composted or returned to the manufacturer. Yard and vegetable wastes are diverted into two composters in the backyard. Meat scraps are buried to deter wildlife or pets, while plastics, papers and metals are sorted into groups.

Most of these recyclables are taken to the Oxford 3Rs resource depot, a community recycling centre which Mr Shouldice helped established. This depot is in addition to the city's blue box and green box recycling programs.

He sends some materials that are difficult to recycle back to the manufacturer with a note stating that his house is a garbage-free zone. In the end, there are a few

small bags of unrecyclables which he reluctantly puts out at the curb every few months for disposal at the landfill site.

It was because of his diligent efforts that this avid recycler was nominated for an award from the Recycling Council of Ontario and inducted into the council's Waste Reduction Hall of Fame.

Stu Shouldice sets a high standard that all of us should endeavour to follow, which is to remember more than just the 3Rs but the fourth R, which of course is rethinking.

VISITOR

The Speaker (Hon David Warner): I invite all members to join me in welcoming to our chamber, and seated in the members' gallery west, a former minister of the crown from the province of New Brunswick, Mr Bob Jackson. Welcome.

ATTENDANCE OF MINISTERS

Mr Murray J. Elston (Bruce): Mr Speaker, on a point of order: Again I have to rise and advise you about the number of absentees from today's events. They all know that we're supposed to start question period at this time of day; they're just not showing up. So we're left with very little opportunity again.

I understand that the Premier is now away on an extended trip. The Minister of Finance is not in his place again.

I know I've raised this issue with you before, but it is frustrating our attempts to do our public business. I don't understand how you could ask for question period to begin until at least the complement of people who have been advised are actually in their seats.

The Speaker (Hon David Warner): I appreciate the frustration which the member expresses. He can anticipate the reply, since he has brought this matter to my attention on other occasions. There is nothing in the rules which will assist me in trying to accomplish what he would wish to have accomplished. All I can do is to offer my understanding.

The member for Mississauga South on a point of order.
1350

VISITORS

Mrs Margaret Marland (Mississauga South): Mr Speaker, I know the House would like to welcome Mr Lou Younge and Mrs Iris Younge, who are here visiting all the way from Australia. They are sitting in the private members' gallery with their niece Mrs Pat Leavers. It is a very special visit for them, their first time to Canada.

The Speaker (Hon David Warner): The member does not have a point of order. However, the guests she introduced are most welcome from another Commonwealth country. I hope you enjoy your stay.

ORAL QUESTIONS

ADDITIONAL HOUSING

Mrs Lyn McLeod (Leader of the Opposition): My first question is for the Minister of Housing. Minister, yet another non-profit housing allocation has come under question. The latest story we've seen involves the recent allocation for the expansion of the Main-Gerrard co-op in the Beaches area of Toronto. It may in fact be only

coincidental that this particular co-op houses the party headquarters for the Ontario New Democratic Party, but be that as it may, clearly that coincidence leads to questions about the basis on which the decision for the allocation was made. I would simply ask you today, on what basis was the allocation for expansion made to the Main-Gerrard co-op unit?

Hon Evelyn Gigantes (Minister of Housing): The allocation for the expansion of the Main-Gerrard co-op was done in 1991 under the very poetically named P-10,000 non-profit program that was initiated by this ministry at that time. It would probably be of interest to the Leader of the Opposition to understand that the co-op is a federal co-op and that the lease arrangements with the New Democratic Party, to my personal knowledge, extend back as far as 1981. The allocation was based on the same kinds of program allocation requirements that were in effect for all the allocations under the P-10,000 program.

Mrs McLeod: We learned this morning, and I'll ask the minister if this is accurate information, that the co-op applied for funding for the expansion under a federal-provincial program in 1991 but that application was rejected; that it was a year later, in 1992, that the application was made again and was accepted, this time by a provincial program. Is that correct, and if so, can you tell us why the project was rejected by the federal-provincial program and then a year later accepted by a provincial program?

Hon Ms Gigantes: The Leader of the Opposition is correct. The initial request for the allocation had been in 1991 under the federal-provincial program, and I'm not certain of the reasons at that point. The federal-provincial program is one which requires a very quick commitment because of the nature of the program. The next opportunity was under the P-10,000 program, which was initiated by this government in 1991. The allocation was given in 1992, as were 10,000 other units of allocation.

Mrs McLeod: Then if I understand that correctly, although you had responded to my first question by saying this was a federal project and therefore a federal landlord for the New Democratic Party headquarters, when the application for expansion was made to the federal-provincial program, it was rejected. It was subsequently approved by a program which is a provincial program. So the fact that it is a federal project is less than relevant in terms of understanding the issue of the expansion.

We're also aware, and I think you would agree, that you are looking at a waiting list for non-profit housing projects. We know, for example, that Cityhome has a number of projects that are ready to go and it can't get its funding approved.

We also understand that this particular project, the Main-Gerrard project, has at least three major zoning issues that will have to be addressed: that the project does not meet density requirements, does not meet height requirements and does not meet parking requirements for current zoning. We also learned that the plan calls for the expansion to be built on an industrial site. We're all well aware that in the past the costs for cleanup required on

old industrial sites has been prohibitive and it has contributed to many housing projects being cancelled.

Considering the number of problems that seem to be associated with the Main-Gerrard project and the fact that there are other projects waiting to go, why would this project have been not only considered but approved in spite of all the problems and ahead of other projects?

Hon Ms Gigantes: It was in no way ahead of other projects when it was selected for an allocation. The problems associated with that proposal are the ones indicated by the Leader of the Opposition.

I referred to the existing co-op as a federal co-op because it is a federal co-op. And it is with that federal co-op and only with that federal co-op, and nothing to do with the provincial housing program, that the New Democratic Party rents space and has for at least 14 years, to my knowledge.

The problems she has indicated are part of the reason the commitment has not been made on this proposal. Like many hundreds of other units in other proposals that were initially allocated development moneys under the P-10,000 program in 1991-92, it has not proceeded to a final commitment and therefore final approval hasn't been given by the Ministry of Housing. It will, along with the others, be reconsidered within the next few weeks in terms of whether it will go ahead at all.

PURCHASE OF LAND

Mrs Lyn McLeod (Leader of the Opposition): My second question is to the Minister of Economic Development and Trade, who I understand today is acting Deputy Premier and who I understand is prepared to answer questions about Ontario Hydro in the unfortunate absence of the Minister of Environment and Energy as well as of the Premier.

Minister, you will be aware that for the past week we have been raising concerns about the kinds of deals that Ontario Hydro has been making. We have raised particularly our concerns with the multimillion-dollar deal that Hydro has made with Suncor. Yesterday we learned about another deal in the making, and this one none of us would have known about if it hadn't been for the member for Etobicoke West's Costa Rican connections; we're grateful for those. We are genuinely concerned about how we can find out what other deals the chairman of Ontario Hydro, Maurice Strong, might be making. What does this particular deal, a deal to buy rain forests in Costa Rica, have to do with supplying electricity at reasonable price to the people of Ontario?

Hon Frances Lankin (Minister of Economic Development and Trade): I hope the member opposite will bear with me. This is not my portfolio area, but I received a briefing this morning in order to try and answer the questions in the House. I just want to say that the minister is absent, as he indicated yesterday he would be, because he is in Quebec City for federal-provincial meetings with aboriginal leaders in his responsibility as the minister responsible for aboriginal issues. It's unfortunate, but in his absence I will try to assist the member in an understanding of this issue.

You have said several times "the deal." I want to

assure you right up front, and hope you will change your language, that there is no deal.

Apparently, as the member for Etobicoke West indicated—I'm surprised he reads *Costa Rica Today*, but it's great. We only found this out yesterday ourselves; we knew nothing about it either. There have been discussions, I'm told low-level discussions, about the possibility of purchase of land that would have rain forest. No deal has been arrived at.

I think the question should be, why did discussions even take place, and would we support any sort of deal? The reason for this, I am told, is that the task force on sustainable development did recommend that Hydro, along with other polluters, take responsibility for these kinds of greenhouse offset programs by purchasing and protecting the kinds of rain forests that reduce CO₂ emissions from generators, that Hydro as a generator should do that.

Let me say that having heard all of those answers, while there may be some nugget of environmental reason behind it, I find it astounding that we would be considering, particularly in these times, to spend ratepayers' moneys in that way. This is an issue that should be taken up with the head of Ontario Hydro, which will be done as soon as the minister is able to meet with him directly. As one minister of the crown, my advice to the Premier and the minister would be to say that we wouldn't support this kind of expenditure.

Mrs McLeod: I appreciate the minister's answer. I can assure her, as a former Minister of Energy who was minister at the time when Ontario Hydro made the decision to plant trees in Ontario to counter global warming, that I'm aware of the theory behind it. But that's not what we're talking about today. We're talking about Ontario Hydro making deals to buy rain forest in Costa Rica. And I did use the term "deal-making." The deal with Suncor that we've been concerned about in the past is a deal that was made. This deal is in the negotiating stage, and I find it hard to believe it's a low-level negotiation if the chairman of Ontario Hydro is involved in discussing the deal.

1400

The problem is that it's not only the minister and your government that weren't aware of this. Nobody knows what the chairman of Ontario Hydro is doing, nobody knows the kinds of deals he is negotiating, whether with Suncor or with purchasing rain forest in Costa Rica, and nobody knows how this fits with any sense of direction at Ontario Hydro. The members of the board of Ontario Hydro did not know that their chairman was out negotiating offshore land deals. Clearly, this is a case of Maurice Strong, the chairman of Ontario Hydro, pursuing his own agenda. Can you explain why the chairman and president of Ontario Hydro is out pursuing his own agenda without any discussion with his board and with no clear policy and no clear plan to guide his deal-making?

Hon Ms Lankin: I thought that if I said directly to the member and assured her that there was no deal and asked her to correct her language, perhaps she would; it didn't work. Actually, I'm not surprised.

There is no deal on this. What I have been advised is that the discussions have been at a low level and that Maurice Strong has not been involved in these discussions and that negotiations aren't under way. I say that only as I have been advised, and I'm sorry I can't bring more clarity to that. Direct questions to Maurice Strong and Ontario Hydro, or Maurice Strong's direct statement on that, will be required to either satisfy the member or to bring surety to what I have been advised.

With respect to the member's comments that she was Minister of Energy and that she certainly knows of the theory with respect to sustainable development and the greenhouse gas offsets, and why would we be looking at doing this in Costa Rica, those are very good questions. The answer comes back from people within Ontario Hydro that investment in that kind of quality of rain forest is 20 times more effective than planting a pine tree here in Ontario. My answer would be, plant 20 pine trees here in Ontario, because it's good for the environment here.

I think there isn't a difference in our approach on this, and I've indicated I would undertake to make the minister and the Premier aware of my comments and thoughts on this, but I'm sure they are ones that are shared by the minister as well.

Mrs McLeod: By the way, don't plant pine trees; plant the broad-leaved ones. Those are the ones that actually deal with global warming.

I may have misunderstood yesterday, but I accepted the information presented to the House by the member for Etobicoke West, who indicated that a spokesman for Ontario Hydro had confirmed the fact that indeed there was a deal being discussed to purchase the rain forest and that the chairman of the board was very directly involved in it. I think it is quite clear—we all know—that the chairman of the board has been reshaping Ontario Hydro. The issue today seems to be whether he is reshaping it as the Maurice Strong foundation, and that gives us a great deal of concern.

This is a public utility that has a debt of some \$34 billion. Ontario Hydro has just laid off thousands of workers as part of a restructuring it's been going through to get its rates under control. We've already seen that Mr Strong is prepared to enter into multimillion-dollar deals just to keep major power users buying its electricity, and now it would appear that the chairman of Ontario Hydro is out to save the world.

Should he not be at home saving Ontario Hydro? We're pleased to hear you agree that this is not an appropriate project, not within the mandate. Will you assure us that direction will be given to Mr Strong, as chairman of Ontario Hydro, to concentrate his resources and his energy and the resources of Ontario Hydro to solving Ontario Hydro's problems?

Hon Ms Lankin: The member started off her comments by saying she had accepted the statements yesterday of the member for Etobicoke West at face value. That's not a leap I'm prepared to take.

However, I understand that the spokesperson for Ontario Hydro will be here and available and can confirm

or deny some of these things. I am told that the statement he is reported as making, that Mr Strong was directly involved in these negotiations, was incorrect information on his part. I can't do any more than tell you what I've been told on this, and I don't think we can clear it up until we speak to Mr Strong. I'm sorry I can't be of more help with respect to that.

I would say that it is passing strange for the party opposite to be critical of attempts to restructure Ontario Hydro, which certainly has a legacy that none of us in this province can be proud of. Having someone of the stature and the environmental reputation of Mr Strong come in, and the restructuring that has led to a commitment of keeping rates below the cost of inflation over the next decade, are all positive steps.

The Speaker (Hon David Warner): Could the minister conclude her response.

Hon Ms Lankin: I would say to the member that there is an opportunity for the public and for others to ask those very questions of Maurice Strong and Ontario Hydro, as they are about to appear before the Ontario Energy Board. It would be an appropriate place for those kinds of questions to be placed and answered.

YOUNG OFFENDERS

Mr Charles Harnick (Willowdale): My question is to the Attorney General. On Saturday night a Mississauga man went out for a walk and he was murdered. Two teenagers, young offenders, have been charged with the murder of Brian Baylen. Could you advise the House and the people of Ontario under what circumstances you feel it is appropriate to try a young offender, who is charged with murder, in a youth court?

Hon Marion Boyd (Attorney General): Obviously, it all depends, in these circumstances, on the particular case facts. As this is a case that is pending in front of the court, I obviously wouldn't be making any comment in this place on this particular case.

In general terms, what is required is for the crown to have reason to believe, first of all, that the young offender was clear in his or her understanding of the consequences of the act. The case facts would have to be taken into account, any previous circumstances involving the young offender would have to be taken into account, in terms of previous incidents or that sort of thing, and all that would be brought to the court for a judge to decide. It's not for me to decide.

Mr Harnick: What you are saying, in effect, is that in your view there are circumstances where it is appropriate to try someone for murder in a youth court, where the maximum sentence is five years for taking the life of another individual. I can't abide by that, assuming that the person is 14 years of age or over.

Quite frankly, I really don't know what you're saying, because the answer you just gave me is contrary to what you were telling us just the other day when you answered a question from the member for Bruce. At that time you said you believed that longer sentences "might be better accomplished through a presumption that people be tried in adult court, where a variety of sentencing might be available."

I don't understand where you're going with this, but surely you as the minister have to give direction to those who work for you, to those who prosecute these cases. Is it proper for someone 14 years of age and older who has committed murder to receive only a five-year sentence, or do you stand by what you told the member for Bruce and believe that those cases should automatically go to the adult court?

Hon Mrs Boyd: As I answered the first time, the circumstances of the particular incident and the particular circumstances of the accused are the important issues. The member is well aware that under the current law, we have a youth justice system that was set up 10 years ago in this country which took into account the fact that the issues that involve young people when they commit crimes need to be looked at within the context of their youth and their circumstances.

We are in discussions, and the federal government has made clear an intention to change some of the sentencing practices under that youth justice system. We in Ontario are saying that it may be that there are a number of ways to accomplish the same thing. One of those ways would be to change what is currently a difficult process to get a youth dealt with in adult court and instead have a rebuttable presumption that in certain very serious crimes they would be tried in adult court where a range of sentencing might be available.

1410

I don't see any contradiction in what I'm saying at all. At present, we're working under the law as it is now, and we are working with the federal government to look at possible changes of that law.

Mr Harnick: In response to that answer, I say to you: Why don't you do it? You have the jurisdiction to do it. You have the jurisdiction to say it is going to be the practice of your ministry that where a murder or a very serious violent offence occurs there will be a trial in adult court. That will be the position you will take in each and every prosecution.

I'll read to you what you said on May 12:

"The clear view that is held by Ontarians and Canadians in general is that the Young Offenders Act at the present time does not offer clear deterrence for these very serious crimes. We are very clear that we support in every way the necessity for the Young Offenders Act to achieve deterrence of these very serious crimes. We will work with our federal counterparts, whose responsibility it is to make a determination on the Young Offenders Act, to try and support the accomplishment of greater deterrence, through the use of longer sentences, through a transfer to adult court"—

The Speaker (Hon David Warner): Could the member please a question, please?

Mr Harnick: —"whatever means is going to be most effective in achieving that kind of deterrence."

Minister, you can do it and you can do it now. Why won't you do it now?

Hon Mrs Boyd: We do, and in fact, if the member looks at the statistics, he will know there are cases that indeed in Ontario do come before the adult court. But at

the present time, until we do the work that we need to do in looking at all the aspects of the Young Offenders Act, looking at how we will achieve the goal we clearly want of deterrence, we don't believe you take a blanket approach. You look at the facts of each case, you look at the circumstances of each case, and the person who is prosecuting that case, the agent of the Attorney General, makes a determination as to the appropriate action in that case.

I would also remind the member that it is only in the last couple of years that the sentencing for those cases has increased and that there is some scepticism and certainly no evidence at this point to show that longer sentences are necessarily more effective. Those are the kinds of issues we need to look at in these cases. Is there a difference between a 12-year-old, a 14-year-old, a 16-year-old? We need to be very careful that we don't fall into the trap of believing there is a simplistic solution that resolves all these issues, and we can do that without in any way backing off from our commitment to achieve better deterrence in these cases.

HEALTH INSURANCE

Mr Robert W. Runciman (Leeds-Grenville): I have a question for the Minister of Health. Representatives from the Canadian Snowbird Association said earlier today that your slashing of out-of-country hospital coverage represents a new \$250-to-\$400 user fee to seniors who travel out of Ontario for health reasons. This change is a clear violation of the portability clause of the Canada Health Act. The association also said that, despite repeated requests, officials from your ministry have been unable to document how you intend to save the \$20 million which is the rationale for these unilateral changes.

Minister, given that you can't even document any savings you'll receive from this change, what is the reasoning behind your decision to break our country's health care law?

Hon Ruth Grier (Minister of Health): First of all, let me say that, unlike the party of the member opposite, we do not support user fees. We do believe that anybody who leaves Ontario for any period of time needs health insurance and I know full well the snowbirds, who are here in the gallery today, always do that when they leave Ontario.

As we looked at ways to better manage our health care system and how we could maintain many programs that we offer in Ontario that are not covered in any way by the Canada Health Act—and I'm referring to the Ontario drug benefit plan, which makes sure that seniors in this province are the only seniors in the country who don't have to pay a copayment for their drugs. The Canada Health Act is silent on that. We would not be violating the Canada Health Act if we in fact eliminated the Ontario drug benefit plan, something we have no intention of doing.

But in order to be able to maintain those programs, we needed to look for savings. We recognized that in many other provinces the amount paid for a hospital stay—not the physicians, because we pay 100% of the physicians and will continue to do so—was much less than we were paying here in Ontario. So we are asking seniors to take

that little extra bit of insurance if they are going to leave the country in order to reduce the amount that we spend in recompense for private hospital accommodations south of the border.

Mr Runciman: The minister says her government opposes user fees, but in reality it's implementing them through the back door. The Mike Harris Conservative Party's opposition to user fees is not mere rhetoric. We're very much opposed to user fees and we make that clear in the Common Sense Revolution document, if the minister would like to take a look at it.

Interjection.

The Speaker (Hon David Warner): Order. Would the member for Durham East please come to order.

Mr Runciman: My supplementary: Minister, any savings you allege to receive from these changes will be offset by the promise made by the Canadian Snowbird Association to sue the government over its ability to levy personal income tax against those seniors who are about to lose their right to health care services. This loss of revenue will be combined with the court costs the government will incur to fight this lawsuit. There will also be the added cost to our health care system from those seniors who are forced to stay home and are hospitalized as a result of our harsh winter climate.

A working group of provincial deputy health ministers is bringing in recommendations on the out-of-country issue next month. Minister, in the interest of fairness, will you agree to delay the slashing of out-of-country hospitalization coverage until we fully review the findings of this critical working group?

Hon Mrs Grier: I'm glad that the member is aware of the deputy ministers' task force, which was appointed last November precisely because of the inconsistent interpretation of the Canada Health Act across the country. As I have said on many occasions, if the findings of that task force are that Ontario is in violation of the Canada Health Act, then we will change our policy.

But let me say to the member, who says that the revolution that his party is promising will not put user fees or tax on seniors, that in that document it talks about "fair share" health care. It says, "Fair share" will generate \$400 million in revenues for the health care system" by taxing everyone earning \$50,000 a levy of \$100. Is that a user fee or is that a new tax?

Mr Runciman: That's a progressive levy based on fairness. We're quite up front about it. What the minister conveniently neglects to mention is that under our policy, people earning \$50,000 or less will pay absolutely zero.

1420

Mr Gordon Mills (Durham East): You've got a revolution all right; it might not be the sort you want.

The Speaker: The member for Durham East, please come to order.

Mr Runciman: Anywhere from 18,000 to 35,000 seniors will be placed under a form of house arrest if you follow through with your out-of-country cuts. These changes bring in new user fees, they violate the Canada Health Act, they place thousands under house arrest, they will increase hospital costs and the demand for hospital

beds here in Ontario and they will force precious taxpayer dollars to be spent fighting a lawsuit that should never see the light of a courtroom. You are profoundly affecting the lives of hundreds of thousands of residents in this province without ever asking them how they feel about these changes. Minister, can you explain or even justify this arbitrary, unforgivable imposition of out-of-country user fees?

Hon Mrs Grier: I thank the member of the Progressive Reform Party for his explanation that in fact a levy is not a tax, is not a user fee. It sounds to me as though one is trying to have it both ways.

As I have explained to the member, as we have looked at how to contain a health care system that is one third of our provincial funding—32 cents on every tax dollar goes to maintain the health care system in this province and to keep it one of the best in the world and one of the most generous in the world—looking at programs that are not covered by the Canada Health Act, such as long-term care reform and the Ontario drug benefit reform, we have of course looked to where we can make some savings.

We recognize that everybody travelling as part of the snowbirds association is already paying insurance, because they know, as we know, that a hospital bed in the United States is not the \$400 we were paying before; probably it's \$2,000. Yes, we are suggesting that for those people who already have insurance to pay the difference between \$400 and \$1,000, or \$500 or \$2,000, to now pay some extra insurance, from \$100 to whatever the actual cost of the hospital bed is, it is a fair way of—

The Speaker: Would the minister please conclude her response.

Hon Mrs Grier: —attempting to protect the open-ended programs that we believe are critical to maintaining a health care system that meets basic health care needs as well as catastrophic needs in this province and meets the needs of everyone in this province.

The Speaker: Could the minister conclude her response, please.

Hon Mrs Grier: Let me remind the member, in one more sentence, that this year alone we've expanded \$15 million for cancer care in this province, we have expanded immunization for children to protect them from hepatitis B and we have expanded long-term care.

Interjection.

The Speaker: The member for York Centre, come to order.

Hon Mrs Grier: We can only do that by managing the system more efficiently.

POLITICAL STAFF

Mr Sean G. Conway (Renfrew North): My question is to the Chairman of Management Board and it concerns the question of ethics in the government. The first part of my question about ethical standards in his government is this: The metropolitan press today reports that a former chief of staff to a minister, in this case the former chief of staff to the Minister of Culture, Tourism and Recreation, within days of his leaving that political post received a very lucrative government contract in the amount of some \$85,000 a year.

I'm just interested to know if the Chairman of Management Board is aware of that situation, and what does he think of a situation where a political chief of staff leaves a minister's office and within a very few days glides into a very substantial government contract?

Hon Brian A. Charlton (Chair of the Management Board of Cabinet): I am aware, as the member across the way is, from the media of the case, but I'm not familiar with the background. I will refer the question to the Minister of Culture, Tourism and Recreation.

Hon Anne Swarbrick (Minister of Culture, Tourism and Recreation): I'm perfectly comfortable with this issue from the perspective of ethics, of competence and of financial integrity of this government. The hiring of John Klassen for this job was one of the best hirings that you could make. If you have any question about that, go and talk to the people whose advice I also took before I made the appointment, which includes the regional chair of the municipality of Niagara and the mayors in that area as well.

If you have any question about how that area felt about who would be the most competent person for that job, ask them, because they were delighted before the appointment and they remain to this day delighted with the wisdom of the appointment that we made for the facilitator of the Niagara Gateway project.

Mr Conway: My supplementary then is to the responsible minister. I don't know Mr Klassen. I have to pay attention, obviously, to what the minister says, but what does this look like? I just ask everybody in the House to think about what this looks like, particularly at a time when we're imposing a social contract and other understandable restrictions on our own public service.

We have here a political chief of staff who leaves his previous role and, however competent, glides immediately into a very substantial, government-supported contract. Quite apart from the fact that Mr Klassen may be a fine fellow and wonderfully well supported by everyone down in the peninsula—

Mr Gerry Phillips (Scarborough-Agincourt): Because they're going to get a grant.

Mr Conway: —because of course they're going to get this big grant in which he's going to play an important role, and he has just come from the minister's office, does not this case make the argument for a cooling-off period for senior political staff, and would not the minister who has answered the previous question agree to make that recommendation to her colleagues in council?

Hon Ms Swarbrick: I was interested in the most qualified person for the job and I got a person who is most qualified because he not only knows the Niagara Peninsula area tremendously well from past experience; he comes from a history, not only in the Ontario public sector, of experience that was very valuable for this position; also experience from the private sector that was tremendously valuable for this position; tremendous knowledge of the subject area involved, namely, tourism and its significance in that area; and tremendous facilitation and negotiation skills. He was absolutely the right person for this job.

In addition, if one looks at the salary areas, and I think the public is quite interested in knowing just how much people are paid for jobs, and we look at the fact that Mr Klassen was hired to do this job as by far the most competent person around, he's paid \$48 per hour for this job. If you go to any private sector organization and ask them what their consulting fees would be for a project manager for this position, you'd find that their fees would be anywhere from \$100 per hour up to \$2,000 per day. We got the most qualified person for that job.

Mr Ted Arnott (Wellington): Unfortunately, my question is not about the Common Sense Revolution—

Interjections.

Mr Arnott:—I regret to say to my Liberal friends. It follows up on the member for Renfrew North's question.

The Speaker (Hon David Warner): Order.

Mr Arnott: I would like to ask the Minister of Culture, Tourism and Recreation, if she was indeed sincerely interested in getting the best person for the job, as she says, how many résumés did she receive; was the competition open; were there advertisements published in the newspaper to get the best person for the job?

1430

Hon Ms Swarbrick: Part of the process that I followed in proceeding with the Niagara Gateway project was to go down and meet with all of the appropriate parties in the area of the Niagara Peninsula. I met with the regional chair, I met with all of the mayors, and the fact was that nobody could come close to John Klassen for the competence, the skills, the abilities that we needed for that job. In fact—

Interjections.

The Speaker: Would the minister take her seat. Minister.

Mr Conway: Is he Canadian?

Hon Ms Swarbrick: He is Canadian, 100% Canadian.

I think what the people of this province want is competence in government. They want the right person to do the job and they want it done in the most cost-effective manner possible. That's exactly what we're doing and that's exactly the feedback I get to this day from the regional municipality of Niagara.

Mr Arnott: The minister has indicated by her response that there was absolutely no open competition for this extremely lucrative job; it was available only to an NDP member. I'm glad he's a Canadian, but unfortunately the taxpayers have not been well served in this instance.

Can the minister indicate exactly what the taxpayers have received for this \$86,000 contract to engage the services of Mr Klassen?

Hon Ms Swarbrick: They've got a plan proceeding well towards the development of one of the most price-less parts of this province, a drawing card that attracts 10 million to 12 million people per year in this province and that so far, to this date, has languished under past governments. Past governments, as people in the Niagara area tell me when I go down there, have done practically nothing—nothing—to develop the Niagara Falls gem in

this province. This government, I'm told, is the first government ever to spend the time, to spend the money to develop this gem in Ontario's tourism basket.

TRANSPORTATION FOR THE DISABLED

Mr Drummond White (Durham Centre): I have a question for the Minister of Transportation. Accessibility to the handicapped is essential for public transit. I know certainly in my riding we have been very, very pleased with the work that your ministry and your parliamentary assistant have done in offering Access Taxi.

Of course, the Whitby GO train station, which was built under the previous government, did not have access to the handicapped and there was a great deal of inconvenience and expense put forward by our ministry and our government in making it accessible. I understand it cost quite a great deal and it certainly was inconvenient for the many users of that system.

Minister, we are expanding the GO train system to Oshawa. Will that new GO train station in Oshawa be made accessible to the physically handicapped or will we have to relive the mistakes of the past?

Hon Gilles Pouliot (Minister of Transportation): Please allow me this opportunity to sincerely thank the member for his ongoing interest when it comes to accessibility for the physically challenged. He's mentioned the parliamentary assistant, who has been a catalyst, a soldier at his post. Of course, the new station—and we see it as a way of doing business—will be fully accessible.

Mr White: The people of Oshawa and Whitby appreciate your commitment to them and to accessibility in their community. The people of Ontario appreciate, of course, your foresight and financial prudence. However, many of the people who have spoken to me about this issue and many of the people who have written to me on a daily basis—and I'm still getting many cards about the issue of Go Transit—many of whom are disabled and seniors, have told me that trains are a much more accessible, much better form of transit for them. Will full train service improve access to the disabled and seniors in our area?

Hon Mr Pouliot: By September, a matter of four months, one car per train will be fully accessible. The stations at Pickering and Union Station, right downtown here, will also be fully accessible, and by 1995, between 10 and 12 stations will be accessible for the physically challenged.

We mean what we say. It's a commitment that we have, and we will honour the commitment.

COMMUNITY COLLEGE GOVERNANCE

Mrs Lyn McLeod (Leader of the Opposition): My question is for the Minister of Education and Training. Minister, I'm sure you are well aware that every college board across the province has expressed concern about the new direction that is being given by the Council of Regents to the appointment of college board members.

Traditionally, the boards of our community colleges have been very broadly representative of members of the community who have given freely of their time and their expertise in serving the colleges.

The Council of Regents is now recommending that this tradition be significantly changed. They have called for people to be appointed to college boards to represent not broad community interests, but very specific interests. This amounts essentially to a quota-based system for appointment to college boards. Minister, do you intend to accept the recommendation of the Council of Regents that we move towards a quota-based system for making appointments to college boards?

Hon David S. Cooke (Minister of Education and Training): The Leader of the Opposition is totally and completely incorrect. There is nothing—

Interjections.

The Speaker (Hon David Warner): Order. Has the minister concluded his response?

Hon Mr Cooke: I haven't. First of all, there is no policy decision by the Council of Regents, and the member—

Mr Bernard Grandmaitre (Ottawa East): They never had a policy.

Hon Mr Cooke: You're right. The Council of Regents hasn't had a lot of policies, especially when your leader was the Minister of Colleges and Universities and there was no leadership provided at all.

The Council of Regents has taken specific recommendations that were made in the Lewis report and has put out a consultation document on the makeup of boards for colleges. The feedback from the boards, from students and teachers and from the public will inform the final recommendation of the Council of Regents, as I have said here before. But there's nothing in the draft document that suggests there should be quotas. There's nothing in the document that says there should be representation from constituencies, where board members would actually represent individual constituencies. The board's basic suggestion is that local boards should represent more adequately the community in which the colleges exist, and that's something that I thought the Leader of the Opposition had supported for many years.

Mrs McLeod: We are reflecting the concerns that are being expressed by boards of colleges across the province about the directions that are proposed by the Council of Regents, which not only include specific designations but which also are recommending identification "of other designated seats for providing source organizations and for determining target lists of particular skills and representatives to fill future vacancies."

We are concerned about any approach to appointments which is based on predetermined quotas. We are also extremely concerned about the way in which this particular approach would be implemented by this particular Council of Regents.

A number of weeks ago, Minister, I asked you about comments made by Jim Turk, who is a member of the Council of Regents, about appointments to college boards. You will remember that he said that women and visible minorities who are currently serving on college boards as representatives—and there are a great many of them—are remarkably like the white men they have replaced.

You rejected those remarks, Minister. You took the step of writing to the chair of the Council of Regents to state that Mr Turk's comments were not representative of your views, and yet Mr Turk has now been appointed chair of the committee that is making changes to the way appointments are made to college boards. This same individual, whose views on appointments would seem to be to put special interests and very biased views about who can represent these special interests ahead of qualifications and merit—

1440

The Speaker: Would the leader place a question, please.

Mrs McLeod: —is now in charge of deciding who should serve on college boards.

Minister, given your own concern and your own indication that Mr Turk is not representative of your views on college board appointments, will you ensure that the Council of Regents removes Mr Turk from this particular position?

Hon Mr Cooke: While I don't agree with the comments made by Mr Turk, an appointment to the Council of Regents made by your government, I would also indicate to the Leader of the Opposition that I don't think it would be appropriate for everybody who disagrees with my point of view to be fired from boards that advise the government. That would be terribly unfair and would result in a completely and totally different set of questions coming from you, attacking the government from another point of view.

The fact of the matter is that you were wrong when you made the point that he's chairing the committee that will make a decision. You know that's wrong if you remember from when you were minister. The Council of Regents will make a recommendation to the government on policy for board appointments. We will make the decision and we will take responsibility for that decision. You know the process. You should; you used to be the minister.

FOREST MANAGEMENT

Mr Chris Hodgson (Victoria-Haliburton): My question is for the Minister of Natural Resources. I read with interest and approval your press release last week about the forest sustainability act. In it you said, "I believe our sustainable forestry agenda is crucial to the future economic health of communities that depend on forest industries." You went on to talk about your objective for the ministry. "We also want to prove to the world that forest products from Ontario come from sustainably managed forests."

Mr Minister, as Natural Resources critic for my party, it's a very important issue to the people of Ontario, and particularly the people of Victoria-Haliburton. I find rather inconsistent with this release what you've done in the last year with regard to private forest lands. Little more than a year ago, you discontinued the managed forest tax rebate program, which encouraged sustainable development of private forests. As you know, approximately 40% of the timber coming out of central Ontario is from private lands. How can you reconcile these

conflicting policies of your ministry with your stated objective to show the world that all forest products coming out of Ontario come from sustainable forests?

Hon Howard Hampton (Minister of Natural Resources): I thank the member for his question and I welcome him to his new job as the Natural Resources critic for the Conservative Party.

The member should know that 80% of Ontario is crown land, and the crown land in Ontario is responsible, by and large, for the timber which is the natural resource for many of our mills: sawmills, manufactured wood products mills, pulp mills and paper mills. We are working now as hard as we can, with the cooperation of the forest industries in Ontario, to put in place a sustainable forest agenda with respect to crown lands.

The member brings up the issue of private lands. We have known for some time that Ontario's private forested lands require some attention. We know that some of that attention must be dealt with by means of regulation, some by means of public information and education and some by means of tax incentives. We are working with a number of interest groups to do that. But if the member is suggesting, as I think he is, that all it requires is greater tax incentives and that we should throw money at the problem, he should talk to his leader, who advocates a 20% cut in what the Ministry of Natural Resources would get for its budget.

Mr Hodgson: It's all in how you cut. If the object is to have sustainable forests—and this government is more interested in looking at \$10 million for sustainable forestry in Costa Rica instead of sustainable forests in Ontario—that's what we should be looking at as priorities of the government.

This is not only inconsistent with the Minister of Natural Resources's stated objective to have sustainable forests—we agree with that—but it also shows that there's little consistency in the course this government is taking.

The Minister of Culture, Tourism and Recreation has poured millions of dollars into developing trail networks throughout rural Ontario and all of Ontario to help the tourism industry. This is a worthwhile program.

Because of the assessment situation in Ontario, where there was a mistake made in the 1970s which recognized forested lands as residential lands, not agricultural, the rebate program was put in to encourage sustainability. It's been improved over the years and includes the managed forest tax rebate program.

Management plans were under way, and with no consultation they were ripped out. The savings are minuscule when you take into account the economic impact of sustainable forests and also the tourism initiative. There are hundreds of people who work in small business and tourism across our riding and across the province.

Mr Minister, will you commit today to reinstating the managed forest tax rebate program—it's not a question of just throwing money at it, but the managed forest tax rebate program—as an interim measure until forest lands can be given fair treatment under Ontario's tax structure?

Hon Mr Hampton: The Ministry of Natural Resources has a limited capacity to control what people do on their private land. We will work with any bodies and organizations that want to work on this issue with respect to all aspects of the issue: the public information aspect of it, the issue of generating some management plans, the issue of better regulation, and finally in terms of tax rebates.

If the member is suggesting that the answer to this is simply to reinstate the tax rebate and increase the tax rebate, that may help generate some funds for some land owners, but it will not generate sustainable forests on private lands. There's got to be a far greater area of cooperation. When we see the willingness to work towards that cooperation, then I think we will begin to make progress in the area of private lands.

SUBSTITUTE DECISION-MAKING

Mrs Irene Mathysen (Middlesex): My question is to the Attorney General. Madam Attorney, there's been a great deal of concern in my riding about the new Substitute Decisions Act. I know you have done your best in terms of trying to get information out there, but just one more time, could you please explain for my constituents how they will be affected by the new Substitute Decisions Act?

Hon Marion Boyd (Attorney General): I thank the member for her question. In direct answer, the law has not changed with respect to the intervention of the public trustee, who continues to manage the financial and personal care affairs of a person who has become incapacitated without a power of attorney having been signed.

The new Substitute Decisions Act makes the process for a family to regain control of an estate quicker and less expensive. It provides a way for family members to take over the guardianship by applying directly to the public trustee rather than going through the court, as is the current practice. If a spouse, a partner or a family member is willing and available to make decisions on the incapacitated person's behalf, or if a power of attorney has been assigned, there would be no need for the public trustee to act.

Mrs Mathysen: Thank you, Madam Attorney. I appreciate that.

The second part of the concern that constituents had expressed had to do with that guardianship. The concern was that information had come, and I'm not even sure from where, that in order for a family member to indeed be a guardian, that family member had to have assets equal to those of the person for whom they were taking over that trusteeship. Could you explain to me if that is in fact the case?

In terms of this misinformation, I know your office has made a great effort to try to turn that around. It's been somewhat successful, but not as successful as I had hoped. Have you any figures connected to how much it has cost this government, your office, in order to correct that blatant misinformation that seems to be out there?

Hon Mrs Boyd: In answer to the last question, I can get those figures for the member, I don't have them with me. It certainly has been disappointing that this campaign

of misinformation has in fact resulted in a great deal of effort by members on all sides of this House to try and correct an impression of a bill that was passed unanimously in this House for the benefit of people.

1450

In answer to the first part of the question: If a person holds the power of attorney for an individual who becomes incapacitated, then there's no reason to provide security, because that person has had the ability to choose before becoming incapacitated and, of course, chooses someone they trust to act in good faith.

The Speaker (Hon David Warner): Could the minister conclude her response, please.

Hon Mrs Boyd: But if the person becomes incapacitated without a power of attorney, then it is the responsibility, as it has always been, to ensure that the guardian is someone who will in fact be very clear about maintaining the trust of the person who is involved. The court can reduce or waive the requirement for a security if it decides to do so, but it needs to be very clear that the best interests of the person involved are being followed by the guardian appointed.

PETITIONS

KETTLE ISLAND BRIDGE

Mr Gilles E. Morin (Carleton East): "Whereas the government of Ontario has representation on JACPAT (Joint Administrative Committee on Planning and Transportation for the National Capital Region); and

"Whereas JACPAT has received a consultants' report recommending a new bridge across the Ottawa River at Kettle Island which would link up to Highway 417, a provincial highway; and

"Whereas the city and regional councils of Ottawa, representing the wishes of citizens in the Ottawa region, have passed motions rejecting any new bridge within the city of Ottawa because such a bridge and its access roads would provide no benefits to Ottawa but would instead destroy existing neighbourhoods;

"We, the undersigned, petition the Parliament of Ontario as follows:

"To reject the designation of a new bridge corridor at Kettle Island or at any other location within the city of Ottawa core."

I will affix my signature.

TOBACCO PACKAGING

Mr Larry O'Connor (Durham-York): I've got a petition here to the Legislative Assembly of Ontario in support of plain packaging of tobacco products:

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains provisions that the Ontario government reserves the right to regulate labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of

tobacco products by young people; and

"Whereas the government of Ontario has expressed a desire to work multilaterally with the federal government and the other provinces, rather than act on its own, to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national plain packaging strategy the most efficient method of protecting Canadian public health;

"Therefore we, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the Canadian government to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

You see by today's front-page news more women are dying of lung cancer today. Thank you.

HEALTH LEGISLATION

Mrs Barbara Sullivan (Halton Centre): I have a petition signed by 18,000 people, who write as follows:

"The Canada Health Act is perhaps the most important social legislation in our country's history. As such, it is a contract between the people of Canada and their governments, and between themselves, to foster and protect the health of all Canadians with fairness and equity.

"The Canada Health Act also serves to draw our diverse peoples in regions together and to bind us cooperatively in the protection and fulfilment of a truly national objective, mutual good health and wellbeing;

"Therefore we, the undersigned, urge and demand that you:

"(1) preserve and protect the intent and integrity of the Canada Health Act as it was originally envisioned; and

"(2) do so within the framework of fairness and equity combined with fiscal prudence and responsibility."

I could not agree more with the content of this petition and I have affixed my signature to it.

SEXUAL ORIENTATION

Mr W. Donald Cousens (Markham): Hundreds of petitions continue to come in on this subject.

"To the Legislative Assembly of Ontario:

"Whereas traditional family values that recognize marriage as a sacred union between a man and a woman are under attack by Liberal MPP Tim Murphy in his private member's Bill 45, and supported by his leader, Lyn McLeod; and

"Whereas this bill would recognize same-sex couples and extend to them all the same rights as heterosexual couples; and

"Whereas the bill was carried with the support of an NDP and Liberal majority but with no PC support in the second reading debate on June 24, 1993; and

"Whereas this bill is currently within the legislative committee on the administration of justice and is being readied for quick passage in the Legislature; and

"Whereas this bill has not been fully examined for financial and societal implications,

"I, the undersigned, petition the Ontario Legislature to stop this bill and to consider its impact on families in Ontario."

I submit this, I've affixed my signature, and may the government do something about it rather than just continuing to ignore these people.

TOBACCO PACKAGING

Mr Rosario Marchese (Fort York): I have a petition which reads:

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains the provision that the government of Ontario reserves the right to regulate the labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces, rather than act on its own, to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national plain packaging strategy the most efficient method of protecting the Canadian public,

"Therefore we, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

I affix my signature to that.

SEXUAL ORIENTATION

Mr John C. Cleary (Cornwall): I have a petition addressed to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario.

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"We believe there will be an enormous negative impact on our society, both morally and economically, if fundamental institutions such as marriage are redefined to accommodate homosexual special-interest groups.

"We believe in freedom from discrimination, but since the words 'sexual orientation' have not been defined in the Ontario Human Rights Code and since sexual orientation is elevated to the same level as morally neutral characteristics of race, religion, age and sex, we believe all references to sexual orientation should be removed from the Ontario Human Rights Code and Bill 45.

"Therefore, we request that the House refrain from passing Bill 45."

I've also signed my name to this petition.

Mr Mike Cooper (Kitchener-Wilmot): I have a

petition from various churches in my constituency signed by over 500 members. It's to the Legislative Assembly of Ontario.

"Whereas spousal benefits have been given to husbands and wives because the marriage of one man and one woman is the biological, psychological, legal and spiritual foundation of society; and

"Whereas the recognition of the marriage of one man and one woman and the support of such marriage is in the best interests of society because of its contribution to a stable society, including the most effective rearing of children and provision for the most health-promoting emotional and social networks of our citizenry and workforce,

"We, the undersigned, petition the Parliament of Ontario as follows:

"Oppose and defeat Bills 45 and 55 regarding same-sex spousal benefits and future legislation of a like nature so that marriages of one man and one woman and like traditional family values may not be weakened and their real contribution to society may not be undermined, diluted, confounded or lost because of confusion created by promoting inferior alternatives and values which have no proven contribution to the welfare of society."

MENTAL HEALTH SERVICES

Mr Tony Ruprecht (Parkdale): Mr Speaker, when you receive this petition, don't worry about the red substance on the back; it has already dried. The petition reads:

"Whereas the NDP government is hell-bent on establishing a 20-bed forensic facility for the criminally insane at the Queen Street Mental Health Centre; and

"Whereas the nearby community is already home to the highest number of ex-psychiatric patients and social service organizations in hundreds of licensed and unlicensed rooming houses, group homes and crisis care facilities in all of Canada; and

"Whereas there are other neighbourhoods where the criminally insane could be assessed and treated; and

"Whereas no one was consulted, not the local residents, not the business community, not the leaders of community organizations, not the education and child care providers, and not even the NDP member of provincial Parliament for Fort York;

"We, the undersigned residents and business owners of our community, urge the NDP government of Ontario to immediately stop all plans to accommodate the criminally insane in an expanded Queen Street Mental Health Centre until a public consultation process is completed."

I proudly affix my signature to this petition.

1500

SEXUAL ORIENTATION

Ms Dianne Poole (Eglinton): I have more petitions that I would like to read into the record.

"To the Legislative Assembly of the province of Ontario:

"Whereas it is a basic right of every adult human being to form a committed spousal relationship with another adult person of their choice under the protection of the

law and without discrimination based on whether the individuals are of the same or opposite gender;

"Whereas persons in this province who are members of same-sex families are improperly denied basic fundamental protection, freedoms, rights and advantages accorded to families solely because they are not of opposite sexes;

"Whereas Ontario courts and tribunals, the Ontario Law Reform Commission and the Parliament of Europe have found that the denial of these rights is discriminatory and unfair; and

"Whereas an incorrect perception has been generated that members of faith communities oppose ending such discrimination;

"We, the undersigned, as members of faith communities, support the extension of full benefits and responsibilities accorded to heterosexual couples to persons in established same-sex relationships."

I've affixed my signature.

TOBACCO PACKAGING

Mr Anthony Perruzza (Downsview): I have a petition here and it reads:

"Petition to the Legislative Assembly of Ontario in support of plain packaging of tobacco products:

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains the provision that the government of Ontario reserves the right to regulate the labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces, rather than act on its own, to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national plain packaging strategy the most efficient method of protecting the Canadian public"—

Interjection.

Mr Perruzza: He says that 2,000 jobs would be lost.

The Deputy Speaker (Mr Gilles E. Morin): Read your petition.

Mr Perruzza: I'll continue with my petition.

"Therefore we, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

I'm going to affix my name to this petition, which is signed by a number of people from Ontario.

EDUCATION FINANCING

Mr Sean G. Conway (Renfrew North): I'm pleased to present a petition signed by thousands of my constituents from places large like Pembroke and small like Calabogie and La Passe. It reads in part:

"Whereas all students are entitled to the same educational resources regardless of where they live or which school they choose to attend; and

"Whereas most Catholic school boards and rural school boards do not have the assessment base of their urban school board counterparts; and

"Whereas these assessment-poor school boards are forced to spend far less on each of their students than assessment-rich boards;

"We, the undersigned, petition the Legislative Assembly of Ontario to act now and to restructure the way in which municipal and provincial tax dollars are apportioned so that Ontario's schools are funded not only fully, but with equity and equality."

TOBACCO PACKAGING

Mr Drummond White (Durham Centre): I have a petition here that was unfortunately given to him by the many women of Mr Cousens's riding that he has passed on to me. It's a petition in support of the Legislative Assembly of Ontario's plain packaging legislation.

"Whereas more than 13,000 Ontarians die each year from tobacco use, some 6,000 women; and

"Whereas Bill 119, the Ontario tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario and being held up by a few Tory members; and

"Whereas Bill 119 contains the provision that the government of Ontario reserves the right to regulate the labelling, colouring, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven"—proven—"that tobacco packaging is a contributing factor leading to the use of tobacco products by young people and, of course, to their eventual death therefrom; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces rather than to act on its own; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national plain packaging strategy the most efficient method of protecting the Canadian public;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and to pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

I affix my name thereto in support of the member from Markham, who was unable to support his constituents.

INTRODUCTION OF BILLS NAMDHARI SANGAT CANADA (SOCIETY) ONT. ACT, 1994

On motion by Mr Marchese, the following bill was given first reading:

Bill Pr110, An Act to revive Namdhari Sangat Canada (Society) Ont.

WRITTEN QUESTIONS

Mrs Barbara Sullivan (Halton Centre): On a point of order, Mr Speaker: I have a point of order under subsection 97(d) of the standing orders of the assembly. I raised this point of order on another occasion when Mr Speaker was in the chair. This point of order is with respect to written questions that are placed to the minister and the rule which requires responses within 14 calendar days or an indication from the minister as to the length of time that it will be available to present those responses.

There are numbers of these that are outstanding, but on March 28—the one I'm referring to is order paper question 103—I placed an inquiry to the Minister of Health with respect to the disposition of the \$640 million which she continues to discuss as being available for long-term care. The answer I received was that a final answer could not be made available in the normal time period, but a final answer would be available on or about April 22.

We are close to a month after that date now, Mr Speaker, and I think you would agree that this ought not to be a difficult question to answer. The minister has spoken for several years with respect to the \$647 million available for the reform of long-term care. We'd like to know where that money is, how it is being used, to what ends it's being put, over what time line that money will be dispersed. I have not received the answer.

The minister is in clear violation of the standing orders of the House, and I'd bring this matter once again to the Speaker's attention.

The Deputy Speaker (Mr Gilles E. Morin): Your point was made very succinctly, very clearly, but unfortunately the Speaker cannot do anything in these circumstances.

1510

OPPOSITION DAY UNEMPLOYMENT

Mr Ramsay, on behalf of Mrs McLeod, moved opposition day motion number 2:

Whereas 590,000 men and women in Ontario are currently unemployed and whereas we have seen record levels of unemployment in the last three years of NDP government;

Whereas Ontario's young people are now facing a real unemployment rate of 30% amidst the worst economic conditions since the Depression;

Whereas Ontario suffered the majority of Canadian job losses during the recession, and while once an economic leader in Canada, now lags behind the recovery seen in the rest of the country;

Whereas the NDP have killed jobs by raising taxes by \$4 billion, the largest increase since the Tories were in office;

Whereas for every 27 people who went back to work in the rest of the country, only one person went back to work in Ontario in the first four months of 1994;

Whereas the NDP are content to allow unemployment

to remain at 9% until 1997, an unacceptable level;

Whereas at a time when the people of Ontario are looking for bold new ideas and leadership, the NDP have decided to throw in the towel and accept high unemployment levels as part of Ontario's future for years to come;

Whereas NDP government policies, such as their anti-business legislation, have only made the employment outlook in Ontario worse;

Whereas the NDP budget is almost as full of more empty rhetoric and as unable to put people back to work as the Tories' economic framework;

Whereas Mike Harris and the Progressive Conservative Party have put forward an unrealistic plan that simply won't work;

Whereas the plan of the Progressive Conservative Party is based on unachievable promises, unsound calculations and flagrant contradictions; and

Whereas Lyn McLeod and the Ontario Liberal Party have set a target of reducing unemployment to 6% in five years and have put forward the only realistic plan for getting Ontario working again, which includes:

—Reducing taxes by 5% over five years;

—Reducing the paper burden by cutting the cost of doing business with government by 50%;

—Balancing the province's operating budget within the government's first mandate without hiding debt off-book;

—Scrapping programs that aren't working or are hurting business, including the failed \$1.1-billion Jobs Ontario Training program, the job-killing sections of Bill 40, the \$30-million bureaucratic advocacy legislation, the \$30-million Interim Waste Authority, and over \$5 million spent for increased NDP political staff;

—Special help for small business such as examining the establishment of tax credits for new hiring and for venture capital companies and more help for small and medium-sized companies to tap into export markets;

Therefore, this House resolves that the recommendations contained in the Lyn McLeod Task Force on Jobs be immediately adopted and implemented.

Hon Brian A. Charlton (Government House Leader): Mr Speaker, before the member proceeds with his comments, I believe we have an agreement among the three parties to split the time equally this afternoon, and I seek the consent of the House for that understanding.

The Deputy Speaker (Mr Gilles E. Morin): It's already registered in the rules that it is divided equally.

Mr David Ramsay (Timiskaming): I'm very pleased to have moved the motion today on behalf of our leader, Lyn McLeod, and to stand in my place as the member for Timiskaming to speak to this motion and also to speak to some of the ideas that we have in our Lyn McLeod task force.

When I look at the task force report, Getting Ontario Working Again, which Lyn McLeod asked several of my colleagues to put together, notably the member for Scarborough-Agincourt, who is also our Finance critic, and the member for York Centre, who were co-chairs of this report, I and many of my fellow colleagues were privileged to be part of this.

It really started from what the very beginning of this motion reads today, that there are 590,000 people in this province who can't find work at this moment. We see that as a tragedy of unemployment. Like other tragedies in our society, it has touched just about each and every one of us these last few years. Thousands of men and women have lost their jobs and, more important, are finding it very difficult to support their families. That's why it is a tragedy.

We are very much aware of this in our day-to-day contact with our constituents and other Ontarians as we travel the province. To give a particular note, our young people—many of us, as parents, have young people in our families—have a particular sense of hopelessness right now, as about 30% of our young people between the ages of 18 and 24 are unable to find full employment.

That is a tragedy, because in my generation and all the generations before me we always had a very profound sense of hope, a great sense of confidence in this country; that while this country was a good place to work and to live, we always knew it would be even better for our children.

Now my generation is starting to question that and wonder about our children. I've got two daughters attending university right now and they're also questioning that. I hope that through a change of government in this province, we could get that hope back and get the economy rolling again.

With all that in mind, our leader, Lyn McLeod, decided we should gather our caucus members together in a task force to go out across Ontario and find some answers; not just to find out what some of the problems are, because I think those problems have been evident to us in the last few years, but also to find some creative solutions. In this report, *Getting Ontario Working Again*, I think we have found those answers, and today I'd like to talk about some of those solutions.

The important thing that differentiates our party from the other two parties—the governing NDP and the third party, the Progressive Conservatives—is that we have a vision. We have a sense from the people of Ontario, through the thinking and the hard work of our caucus members, of where this province should be. Unlike the American Revolution, the so-called Common Sense Revolution of the third party, we have what we believe is a vision of where Ontario can be and should be, and we believe we have the ideas to implement that vision.

That vision is enunciated in a plan. The vision is to get the people of Ontario working again. The vision is to have North America's leading workforce, leading economy, developed right here in Ontario. Why shouldn't Ontario be the workforce of the 21st century around the world? Why shouldn't Ontario have the best-trained men and women in the workforce?

Mr Anthony Perruzza (Downsview): On a point of order, Mr Speaker: Given that this is an opposition day and given that the member is reading his leader's resolution, and given that there are only two Liberals in the House, I don't believe there's a quorum in this place to listen to them and their resolution today. I would ask you to call for a quorum, please.

The Deputy Speaker: Would you please verify whether there is a quorum.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.
1520

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Deputy Speaker: The member for Timiskaming.

Mr Ramsay: I'm glad to be back after being so rudely interrupted. I will try to continue.

What's important is that we bring forward some very positive ideas that are part of a vision of making Ontario the very best workforce in the world. We think the people of Ontario have contributed to the Lyn McLeod task force those very ideas, and I'd like to talk a little about them.

One of the main concerns we heard when we were out talking to the people of Ontario in January and February of this year is that people in business, who want to create the jobs, who want to make some money, who want to do business in Ontario and invest to create those jobs, have said to us that they'd like to have the government allow the economy to breathe a little. They have a sense that government regulation and taxation is suffocating entrepreneurial activity in Ontario.

In fact, those who are thinking of expanding business opportunities in Ontario or who wish for the very first time to invest in Ontario are now starting to look at other jurisdictions, and this really hasn't happened before. They have a sense of a stifling, suffocating economic climate here, and that's not conducive to good business.

What they'd like, first of all, is some certainty. They'd like a government in place that they understand would be consistent with their thinking about developing and nurturing a very strong and vibrant business climate. That's what the business people in Ontario want, and the business people are the ones who really create the jobs.

And it's not the big business people, it's the small people in business, the women and the men who start the small business or the corner store or small service industry or start to sell a product. It's those people who create the jobs, and we need to get off their back. We have to start to develop a more employer-friendly, and therefore I believe employee-friendly, government in this province. If we do that, I think we'll start to see the business opportunities grow and develop and therefore employment pick up.

One of the things we could do directly to get out of the hair of business, if you will, to get out of their face, as my teenage family would say, would be to reduce the government red tape paper burden that we as government impose upon business.

I just received a call today from one of my constituents who again has received his corporate filing application. Year after year, he has to send in \$50 and say: "Yep, my company is still named Doc's Place, and I still reside on Whitewood Avenue in New Liskeard. Here's my phone number, and oh, by the way, Bob Rae, here's my cheque

for \$50. Yeah, I'm still in existence. Thank God, I'm still in business."

We would eliminate that. To have an annual corporate filing and charge \$50 for that is wrong. What we would do instead is say to business that once you are in business, you notify us when you go out of business or when there's some change—no cost. That's the way that should happen.

It's the accumulative impact of all these sometimes minuscule little bureaucratic bugbears, requirements that the government imposes upon business, that just really start to frustrate.

The other thing is the whole tax regime, and of course the tax regime is getting large now. We have \$4 billion in new taxes that this government has brought on personal income tax and corporate income tax in this province. Business is starting to look at Ontario and say, "This is a very expensive place to do business."

The approach we would take as a new Liberal government in the future would be to redesign how government operates. Why is it we still have people lining up to get their driver's licence, having to use the mail to file their corporate filings, when we could be using modern technology?

I think of other institutions, some very traditional institutions in our country, like the banks, that have completely modernized themselves in customer service delivery. The automatic banking machines are a prime example of how a very traditional institution in our country can start to service its customers. You know something? Government should do the very same thing. Why don't we start thinking like the private sector and start using modern technology and equipment such as that, so you could go in after hours to the same banking machine, after we cut a deal with the banks, and get your Outdoors Card, get your driver's licence renewed and do that sort of thing?

I'm just starting to talk about a lot of the different ideas we have, and I know many of my colleagues want to talk about this today, so I will take my place, but I've been very pleased to be part of this debate today.

The Deputy Speaker: Further debate?

Mr David Johnson (Don Mills): I didn't expect that the Liberals would be quite so short, and I expected that the leader of the Liberals might—

Interjections.

Mr David Johnson: Are you going to stop the clock?

The Deputy Speaker: Yes, we'll stop the clock. Don't worry.

Pursuant to standing order 34(a), the member for Mississauga North has given notice of his dissatisfaction with the answer to his question given yesterday by the Minister of Environment and Energy concerning transportation of waste. This matter will be debated at 6 pm.

Mr David Johnson: As I was saying, I had expected that the leader of the Liberals would be here to give their resolution. Bear in mind that this is an opportunity for all the parties to speak about their plans for Ontario for economic purposes, financial purposes and job creation.

Nevertheless, I thank the Liberal Party for putting forward its resolution on this matter because it's of great importance to all the people of the province. We're talking about economic growth, we're talking about job creation, we're talking about the issues that are of the utmost importance to the people of Ontario. It would have been more helpful, though, if the resolution had a little less rhetoric and was a little more specific on what the Liberal platform would be to help the economy grow and to create jobs.

I read, for example, one of the resolution's "whereas" clauses, which says, "Whereas the NDP have killed jobs by raising taxes \$4 billion." This is true; this happened. But it does raise to mind that we only need to go back some four short years ago, and who was in power? The Liberals were in power some four short years ago.

Mr Perruzza: Who was the Premier then?

Mr David Johnson: It was David Peterson, of course, and many of the members sitting in the Liberal caucus today were present at that time. One might ask, what did they do when they were in power? What was the Liberal approach to the economy? What was the Liberal approach to taxes, to the finances of the province, to job creation?

I'm a little surprised, not having been in this House at that point, to look back and check the record, because I've heard today how sincere the Liberals are with respect to cutting taxes and creating jobs. But I see that in 1989-90, for example, there were 16 tax increases brought in by the same people who today are telling us that there should be a tax decrease of some sort. I'm amazed when I read this. This must be a record in the province, to have had 16 tax increases.

I see there was a personal income tax increase; a gasoline and fuel tax increase; a tire tax, which the NDP have now rescinded, and I must admit it was a good endeavour on your part to rescind that; a gas-guzzler tax; the retail sales tax was increased; a container tax was introduced; the commercial concentration tax was introduced by the Liberal regime in 1989-90, and again rescinded by the NDP. Thank you very much again, because that tax didn't make any sense either. You were right twice; those two times you were right. The land transfer tax was increased; the passenger vehicle registration fee was increased; the driver's licence fee was increased, all under the Liberal government.

This is the kind of experience we have with the Liberal government, and it makes you wonder where the Liberal leader was then when all these taxes—

Mr Perruzza: He's a Raptor now.

Mr David Johnson: The present leader. Where was the present leader then? Where was the present caucus then? Do we believe what they're saying today about taxes, or do we believe what they did just less than five years ago in increasing all those taxes?

They take a swipe at the NDP by talking about \$4 billion worth of tax increases the NDP brought in. You have to admit it, you did it: in last year's budget \$2 billion, the year before that \$1 billion, and the year before that another \$1 billion—tax increases of almost \$4 billion by the NDP.

But there's a saying that people who live in glass houses shouldn't throw rocks, and if you look at the Liberal record from 1985 to 1990, during that five-year period, lo and behold, if you add up all the tax increases, some of the tax increases which I've related to you today, the full-year impact of all of the Liberal taxes was \$3.1 billion, over a \$3-billion full-year impact of the taxes under the Liberal government.

1530

Just for fun, I looked at the rate of inflation during those years and did a rough calculation and increased those taxes by the rate of inflation. Lo and behold, what do I find? That, adjusted for inflation, the taxes under the Liberal government totalled almost the identical amount as the tax increases under the NDP government. The only difference is that the Liberals took five years to do it and the NDP took four years, so we'll give the Liberals a little bit of credit. But both governments, during their periods in office, increased the taxes by about \$4 billion. That's an interesting fact.

Interjection.

The Deputy Speaker: The member for Downsview, please.

Mr David Johnson: That's all right, Mr Speaker. He needs the attention. That's his usual approach.

I carry on with the resolution of the Liberal government. Again, I thank them for putting it forward, because we need to have these kind of debates. Following down further in the resolution it says, "Whereas the NDP budget is almost as full of more empty rhetoric and as unable to put people back to work as the Tories' economic framework...." That's a little bit of rhetoric itself, you have to admit. It says that the NDP is full of empty rhetoric and it says that the Progressive Conservatives, essentially, are full of empty rhetoric too.

Mr Perruzza: That's true.

Mr David Johnson: The member says that's true. Thank you.

I asked the people of Ontario to decide on which is empty rhetoric. I have in my hand the plan, because the member speaking before me, the Liberal representative, indicated that they have ideas and a vision, that the Liberals have a plan. I'm sure we all want to hear what the Liberal plan is. We didn't really get it from the previous speaker, but I'll tell you what it is, because I have it in my hand. It's the Liberal leader's task force on jobs. It is a five-part plan for success.

Part 1 is entitled "Charting a Bold New Course." "We are going to have to get the commitment of all of Ontario to the benefits of embarking on this vision of a bold new future—one that embraces the future and gears the economy to that future." That's it; that's part 1. There we have part 1 of the Liberal plan. I ask you, what does that mean?

Mr Perruzza: I don't know; you tell us.

Mr David Johnson: The member opposite doesn't know what that means; I don't know what that means. Is this a plan? "We are charting a bold new course." However, there it is. Compare that—I'm sure you're delighted—with the Common Sense Revolution, which is

the Progressive Conservative plan for the economy. This is a job creation plan; the Common Sense Revolution is a job creation plan. We've heard that the first part of the plan for the Liberals is to chart a bold new course, but that's all we know. Where that course is, what it is, we really don't know. "Trust us. If you elect us, we'll think of something."

The Progressive Conservative five-point plan has as its first point: "Cut provincial income taxes." Cut the provincial income tax, the personal income tax, by 30% over three years, with half of the cut coming in the first year. For the average middle-class Ontario household, this would mean a tax cut of more than \$4,000 in the first three years.

That's specific. You know what that means. There's no misinterpretation of what that means. There's the difference we have between the two plans.

The second part of the Liberal plan is to let the economy breathe. That is the second part of their plan for success, "Letting the Economy Breathe." Now you might ask yourself, what does it mean to let the economy breathe? It explains. The Liberal plan says, "As difficult and challenging as this will be, we can—and must—find solutions to an economy that finds itself struggling with a heavy tax load and an environment hampered by complex regulatory and overlapping jurisdictional problems."

There you have it. Now can somebody explain to me what that means? Again, who knows?

Mr Perruzza: We don't know that.

Mr David Johnson: The member opposite says he doesn't know. In that, we are in agreement. However, the member knows the second part of the Progressive Conservative plan, the Common Sense Revolution. It's specific. It says: "Cut government spending. Total spending will be reduced by 20%"—the total provincial government spending will be reduced by 20%—"in three years." Now that's specific. You know what that means.

It says we will protect health care, we will protect law enforcement, we will protect classroom funding. These are the priorities of the people of the province of Ontario. We have gone out and spoken with the people of the province of Ontario. These are their priorities. We will protect these moneys.

Beyond that, government spending has to be cut. Government spending has climbed too high in the last 10 years under the Liberals, under the NDP, and has to be cut. We will cut it 20%. The reduction will be \$3.5 billion in the first year and by the third year it will be \$6 billion.

We talk more specifics. We talk about cutting the members of this Legislature. There will be 31 fewer politicians. We will decrease from 130 members of this Legislature to 99, thereby having the same number of provincial politicians in Ontario as federal politicians, and the provincial politicians can do the same amount of work as their federal counterparts.

Abolish the pensions of the MPPs and abolish the free tax allowance of the MPPs: This will save money. This will provide leadership to the province of Ontario.

Reform the welfare system: The payments in Ontario average 30% higher than the welfare payments in the rest of Canada. We are saying that we will revise those payments so that they are 10% higher, but we cannot afford 30% higher than the national average across our country.

Implement a province-wide computer system to reduce the welfare load, cut business subsidies: We need to cut right across the board and that includes the business sector. The business sector gets subsidies from this government today. I'm afraid we can't afford those subsidies. We need to cut the taxes and we'll need to cut expenditures, and one of those expenditures is subsidies to certain businesses and we need to cut that.

We need to put a moratorium on non-profit housing. The Provincial Auditor has said that non-profit housing is being subsidized by the people of Ontario to the tune of \$1,000 a month a unit. The people of Ontario cannot afford this. We would implement a shelter subsidy instead.

These are some of the specific items that we're putting forward.

The third point on the Liberal plan is "Redesigning the Machinery of Government." The Liberals say that some of the structures and programs in government are more geared to the 1960s, and when I read that, I'm reminded that we had a Liberal government for five years, from 1985 to 1990, and yet they're telling us today that the structure of the government is geared to the 1960s. What did they do during those five years when they were in power? I don't know.

At any rate, somehow what they didn't accomplish during the late 1980s they would now apparently try to tackle, although again they don't tell us how. They simply say that they would redesign the machinery of government.

What the Common Sense Revolution says is that we would cut government barriers to job creation, investment and economic growth. We say we would abolish the payroll tax for small businesses, businesses of under \$400,000 in payroll. We would freeze Ontario Hydro rates for five years. The Common Sense Revolution would cut workers' compensation premiums by 5%. These are specific items.

We would also repeal Bill 40, the labour legislation, and I can tell you when I talk to people across the province of Ontario, there is no doubt that Bill 40, the labour legislation, is a tremendous hindrance to investment in the province of Ontario. It's a message I'm sure the government doesn't like to hear, but it's a reality of life in Ontario, and I'm hearing that over and over again. We would repeal that bill.

1540

The Liberals would be "Making Ontario the 'Home of the Best Work Force.'" That's point 4 in the Liberal plan. What does that mean? Sure, we want to make Ontario the home of the best workforce, but how? Would you do it by tinkering, or would you do it by real action? The Liberals would do it because it would "involve a strong commitment to embracing the future economy." That's

how they would do it. What does that mean? Who knows?

What would the Progressive Conservative Party do? Through the Common Sense Revolution: "Cut the size of government. We will provide the people of Ontario with better for less." Specifically, government spending would be cut by \$6 billion in three years. We would downsize the bureaucracy in the province of Ontario by 13,000 positions during the course of the next term—13,000 positions. That's very specific.

The fifth and final point on the Liberal platform which comes out of their task force on jobs would be "Providing the Tools For the Future." They say, "For our job-creating private sector to thrive, we must ensure that the financial tools, as well as the important infrastructure for growth, are available." That's very correct; I have no dispute with that, but what does it mean? What specifically would they do?

The people of Ontario are beyond just these empty phrases. They want to know specifically what you would do behind those phrases, and I'm afraid it's not here. It's not there.

I encourage the Liberal Party to go back with the phrases that they have and put some meat on the bones, tell us specifically what they would do. I know it's painful, but it's a process that we've gone through in the Progressive Conservative Party and it works.

Our fifth and final point is that we would balance the budget. I can tell you, there is a cry across the province of Ontario. People understand that this province is in a poor financial state. People understand that when we, for four years in a row, have borrowed over \$10 billion—successively, four years in a row we have borrowed over \$10 billion—to pay for expenditures over and above the revenue that's coming in, driving up the debt, at the end of this year, by the government's own reckoning, to over \$90 billion, there is a problem. Almost 18 cents out of every dollar collected in revenue will go to simply paying the interest on the debt, and that is a situation that cannot be allowed to carry on. We must tackle that deficit every year that has averaged over \$10 billion for each of the last four years.

We do that through a realistic program of cutting expenditures by \$6 billion a year, imposing tax reductions of about \$4 billion a year, and thereby encouraging economic growth. When people are allowed to keep more of their tax dollars—and that's what we're talking about; we're talking about allowing people to keep more of their hard-earned dollars—they spend it, they create jobs, they create economic growth and our province will flourish. That is the specific plan in the Common Sense Revolution. I ask the people to stack that up against the Liberal task force on jobs. Which one is rhetoric? Which one is specific? Which one do you know what it means and which one do you cross your fingers and hope for the best?

If I can carry on with the resolution from the Liberal Party—I'll go down to the bottom because I can see my time is fast expiring—it says that they would reduce unemployment to 6%. The Liberals would reduce unemployment to 6% in five years and put forward "the only

realistic plan." The plan is: "Charting a Bold New Course"; "Letting the Economy Breathe"; "Redesigning the Machinery of Government"; "Making Ontario the 'Home of the Best Work Force'"; and "Providing the Tools For the Future." That's the plan. That is the realistic plan that's being put forward.

Mr Frank Miclash (Kenora): That's a good one.

Mr David Johnson: I'm being told that's a good one. Sure, that's a good one. If we only knew what it meant, it might indeed be a good one. Some day, maybe before the election, we'll find out. The people of Ontario should demand that we find out before the next election.

Specifically, beyond that, the Liberal Party does mention—I'll give them credit for this—that they would reduce taxes by 5% over five years. Just to put that in context, what a tax reduction of 5%—we bring in \$33 billion in tax revenue, so 1% of that is \$332 million. That's how much we'd be talking about by 1% a year for five years: Each year it would be \$332 million.

The NDP 1994 budget incorporates, according to the author, the Minister of Finance, a reduction of \$325 million, primarily through a tax holiday on the employer health tax. So the NDP this year has said it has provided a \$325-million tax reduction. The Liberals would up the ante to \$332 million. Now, there is progress for you. They would actually reduce taxes by \$7 million more than the NDP. That is real progress. When we're looking at a \$90-billion debt and at unemployment the highest it's been in our history and so many people unemployed, a \$7-million tax decrease beyond what the NDP have implemented this year is not going to cut it; it's not going to be effective.

Besides which, it's interesting that, again, if you look back during the five years the Liberals were in power—when the Liberals came into power the personal income tax rate was 48% of the federal income tax. During their five years, they increased it from 48% to 50%, then from 50% to 51% and then from 51% to 53% in 1989. The Liberal Party increased personal income tax by five percentage points, which works out to be about a 10% increase on the personal income tax during those five years. Now they're saying they would take back half of the increase they implemented during their five years in power. They're saying: "When we were in power, we increased the personal income tax by 10%. Now, our great plan is to take back half of that. We're sorry we did it. We'll take back about half of that increase."

The people of Ontario know that if you're going to come to grips with the debt, you need to talk about expenditure cuts. If we're going to come to grips with the deficit of over \$10 billion a year for four years, we need to cut the cost of government in Ontario. We need expenditure cuts. How would the Liberal Party cut the expenditures in the province of Ontario? What they would do is cut the failed \$1.1-billion Jobs Ontario training program; they would cut out Jobs Ontario. What they don't tell you, which is somewhat relevant, is that \$600 million of the \$1.1 billion has already been spent. How do you cut moneys that have already been spent? It simply doesn't work.

In actual fact, this year, the budget for Jobs Ontario is

about \$192 million, so in terms of a year cut, we'd be looking at \$192 million from Jobs Ontario, about \$15 million from various bureaucratic advocacy legislation cuts, another \$15 million from the Interim Waste Authority and some \$5 million spent for increased NDP political staff. That's what the Liberals are saying. They would cut expenditures by some \$226 million in one estimates year, by my reckoning; \$226 million when we have a deficit of over \$10 billion. That is equivalent to me, as an individual, running a personal deficit each year on my own personal accounts at \$10,000 a year—in other words, I was spending \$10,000 more than my income—if I decided to cut my spending my \$226 and I thought that would solve the problem. It won't. It doesn't scratch the surface.

1550

I'd ask the people of the province of Ontario to make their own decision: Is that a realistic program? Is such minor tinkering that is being proposed by the Liberal plan, which is almost the same magnitude as the NDP plan, going to really tackle the problems we have in the province of Ontario?

With those comments, I will sit down and allow my colleagues to have their say.

The Deputy Speaker: Further debate?

Mr Randy R. Hope (Chatham-Kent): We're debating a resolution which is put forward by the opposition leader, Lyn McLeod. Most Ontarians say, who is Lyn McLeod? Well, 11% recognize the name, 89% don't know, and 100% wouldn't know her if she walked into a restaurant. So we have to spend \$600,000 to develop and put a profile before Lyn McLeod in order for people to try to recognize her and to get recognition of the Liberal Party here in Ontario.

Spending \$600,000 to improve her image could probably put 100 people back to work through Jobs Ontario. As of May 6, Jobs Ontario has created 46,000 jobs through 11,000 employers who have used the program. Some 45% of the people placed through Jobs Ontario were on social assistance, and 20% of those placements are youth. I recall the opposition party, during last year's opposition day, saying we weren't doing enough for the unemployed young people in our communities.

I listened to what this resolution talks to and I listened to what the Liberal leader puts forward when she says in her proposals that she'll reduce unemployment to 6%, and she blames this government for a lot of the economic issues that are there.

Let us not forget what happened to a lot of the workplaces that I represent in my communities. They were affected by the free trade agreement put forward by the Conservative government federally, which allowed a different marketplace which took away our Canadian content. I will no longer blame Brian Mulroney for the NAFTA agreement. It is now in the hands of the Chrétien government, which has now given royal assent to that deal, a deal that they stood so adamantly against but couldn't get enough members in the federal House to vote against, which could have defeated that bill that

Brian Mulroney brought forward. It just shows you that it's the normal pattern of the Liberals: "Do as I say. Follow the Tory lead."

I think it's important that today we start to understand what we are faced with in job losses. This government has been trying to put forward programs such as Jobs Ontario program. The Jobs Ontario program has been effective in our community in Chatham-Kent. We've been successful through employer-employee relationships in making sure that people have been put back to work.

Using the Liberal leader's own statistics of creating 660,000 jobs, if they were to create them, it would lower the unemployment rate, really, in actual terms only to 8.5%, if you take into consideration the growth of the labour force that will appear. So I find it very hard to see how she is going to get to her 6% unemployment rate through this process.

I think it's also important to understand that when she talks about the Jobs Ontario Training fund, we're talking about removing an element that will help people on social assistance get back to work.

I believe the member in her papers talks about using the Futures program. She says she consulted severely with the small business community in and across rural Ontario. I believe if she consulted with the small business community in rural Ontario, she would get a clear idea of what they think about the Futures program, where it is incumbent upon the paperwork that has to be in place in order to make sure they can hire somebody, and then once hired, the paperwork still continues. Those employers don't want to be bothered by that process.

They believe that Jobs Ontario, and also the recent announcements in the budget about not charging the dreaded—you want to talk about a business attack?—employer health tax, which was levied against all employers throughout the province; our exemption on that, where they don't have to pay, will help stimulate even more jobs through this 1994-95 process.

One of the other parts the member keeps blatantly attacking is Jobs Ontario. I find it very ironic that the leader was in Chatham-Kent, and the deputy leader, Sean Conway—I take it that's what he is—was in the riding a number of times, but they never brought back the information that was portrayed to them about how effectively and how efficiently the Jobs Ontario project is working in our communities across Kent county.

I want to bring to the member's attention what's happening in her own riding, in Thunder Bay. The local brokerage, Confederation College, as of May 6, 1994, has created 505 jobs: 745 local employers have signed up with the program. The minister, Dave Cooke, attended a Jobs Ontario Training regional employers' conference on March 17, attracting 240 employers interested in getting on board. The minister had heard about the successes of employers such as Bombardier, J-D Video Recording Services and others in the community.

It is also important to understand that the Thunder Bay Times-News says, "The NDP have largely been doing what most people said needed to be done in order to get the economy back on track to prosperity." That was a

quote by the Thunder Bay Times-News. Also, a quote by the North Bay Nugget, which is in the leader of the third party's tax revolt area, says, "Jobs Ontario Training, helping unemployed women shed the safety net of social assistance to gain greater independence through self-efficiency." That was a quote that was put forward in the North Bay Nugget.

I think it's important that the member who sits here and puts her resolution forward saying that it's destroying and hurting the business community—I mean, for the Liberals, who have sat there and talked about the attacks on working people, let's talk about jumping from a 7% to an 8% provincial sales tax, which just hit everybody. Let's talk about the changes which occurred under the workers' compensation issue. Let's talk about the employer health tax, which went across and affected a lot of employers.

When this opposition motion says they'll get rid of the "failed \$1.1-billion Jobs Ontario Training program," I find it very hard to believe that such a program that is even effective, that even my own mayor in the city of Chatham—

Mr Kimble Sutherland (Oxford): Mayor Erickson.

Mr Hope: You've got it; well-known. He says:

"I am very pleased to say that the Jobs Ontario program has benefited the community as a whole through the creation of more than 300 jobs since September. Equally pleasing is the cooperation and participation exhibited between the business sector and the Jobs Ontario program staff in their efforts to create a value added position to contribute to the revitalization of our local economy."

The other one which I find very important right now, today, and he's also declared himself as one of the candidates who will be seeking to sit on this party which wants to kill the Jobs Ontario program, is the previous warden, Dennis Scott: "Everyone is aware the Chatham-Kent area has been severely affected by the recession. Consequently, we welcome the program, which will undoubtedly result in a positive implication for the community." That is by a person who is running for the Liberal Party.

I find it very ironic that the Liberal leader talks about killing a Jobs Ontario program which, number one—and I remember very clearly that back in 1981-82 we tried to get similar programs that would help people get off the system and back into the workplace, one that would allow workplaces, employers, not only to allocate those moneys to the individuals to upgrade their skills, but allow a full workplace participation in education to make sure we can be competitive in a larger marketplace that, I must add, has been created by the Mulroney government under the free trade and by the Chrétien government, which did receive royal assent on the NAFTA agreement and which stood totally opposed to it, creating a more competitive marketplace, a more skill-added marketplace that we must compete in. This program that we did is able to combat those negative effects to our community and help employers achieve our ultimate goal of success of employment.

When they talk about "the job-killing sections in Bill

40," good Lord, we're on to partisan politics. "Over \$5 million spent for increased NDP political staff"? Creative numbers. And being "more help for small and medium-sized companies to tap into export markets"? Well, if you're listening to a lot of the small business community in our area, they're talking about the notes being called back from the banks. They're considered high-risk if they're in the automotive sector. High risk is created by the marketplace which the Chrétien government and the Mulroney government have created upon us.

1600

All I can say, knowing a number of my other colleagues wish to speak to it, is I know the positive effects that Jobs Ontario has had in my community with employers like Navistar: high-paying, skills-added jobs, making our trucks still on the road today throughout this world, Navistar being the leader in truck manufacturing.

To our small employers who are participating fully in our communities, this resolution speaks of nothing but partisan politics. It does nothing for the people of the province of Ontario other than to try to continue their endeavour of spending \$600,000 in creating a profile for the Liberal leader: 11% know the name, 89% don't know who it is, and 100% say, "If the person walked into the restaurant, I wouldn't know who she is."

With those points of view that I have, I will be voting against this resolution put forward by the Liberal leader.

Mr Miclash: I'm pleased to have this opportunity today to rise in my place in support of my leader Lyn McLeod's resolution.

I believe this resolution speaks for the many individuals who attended our jobs task force hearings which were held throughout the province recently. Our party is offering Ontario residents a balanced approach rather than the incompetent management of the present NDP government or the politics of intolerance of Mike Harris and the Tory party.

I'd like to focus my remarks today on a number of issues which are of concern to me, my constituents from the northern riding of Kenora and the people across the province. I would like to focus on the creation of jobs and the ability of people to play a major role in the province's economic growth.

The challenges we are facing in Ontario are real and complex, and I believe our leader, Lyn McLeod, and the Ontario Liberal Party will provide the sense of balance to manage these and other issues in an effective way.

One of the challenges we are now facing is a change in the economy, an economy that in large part has been forced to change because of the constant mismanagement of the present NDP government. I believe these changes have affected the government's ability to provide programs we value as Ontario residents.

It is essential for this government to understand the changes that are taking place and to respond immediately if people in places such as Dryden, Red Lake, Kenora, Sioux Lookout, Pikangikum and Show Lake, among other places, are to feel confident about the future.

It's clear that we as legislators must respond to the number one concern of Ontario residents, that of course

being the creation of jobs. As our resolution states, over 590,000 men and women in Ontario are currently unemployed. This I find truly unacceptable. The recession of the last number of years has hit Ontario particularly hard and we in northwestern Ontario are still feeling the effects.

In order to address some of these changes, our leader established the Liberal Party jobs task force, entitled Getting Ontario Working Again. I think this is a document that many people are going to be interested in taking a look at, and in seeing an effort where we have come to grips with the problem of jobs, the problem of unemployment in this province and the unemployed, of course, who are facing some situations that are really unspeakable.

More importantly, we have set out to solicit positive and constructive ideas on how to fight the crisis that I talk about, the crisis in jobs. I believe that because of this process and consulting with people affected through the loss of a job, we have gathered some new ideas for creating prosperity and opportunity in Ontario.

The jobs task force travelled to over 16 communities in Ontario and heard from individuals, unions, community groups and business owners. The members of the task force heard from more than 200 witnesses from all parts of this province. They heard of course of the frustrations and the concerns of businesses that are overburdened by taxes and red tape. They heard the views of both the young and the old who fear for our future.

They also heard from the unemployed in the province who have lost hope in their search for employment. Many of these people live in my riding, and I can understand the frustration they are presently experiencing. Clearly our first priority must be to get these people back to work.

Furthermore, as an educator, I'm very troubled with the large number of students who are conveying to me their concerns for their future. I hear over and over from young men and women that they are unable to find summer employment, which will mean they will be unable to attend a post-secondary institution in the fall. Again, I find this very disturbing.

As members are aware, the number of unemployed young people rose last year to an amazing 162,000, that coming from a 1989 figure of 84,000, and the forecast for the future is no better. I think it is time for this government to listen to some of our young people, who have something to say but are continually ignored and cast aside.

People in Ontario today, in every region, share feelings of anger and frustration. They are angry about the increased taxes and decreased service. They are frustrated by the chaos and mismanagement they have witnessed with this government. Out of this sense of frustration and anger rise feelings of deep concern: concern about jobs, the economy and the future of our youth.

I'm also hearing from constituents throughout the Kenora riding who understand the hard realities that we face. My constituents, I must say, want to be part of the solution. They tell me they want to exercise their capability

ities, they want to take on greater responsibilities and they want to be a part of the process that will ensure a brighter tomorrow.

My party and I have confidence in the ability of the people of Ontario to develop solutions that will deal with the challenges we all face. We have in Ontario an educated and skilled workforce, a strong resource and manufacturing base and the greatest primary resource, our people: people with different backgrounds and creative ideas who are willing to work hard and are willing to invest in the future of this province. To capitalize on these strengths, we need to create a positive environment that will foster economic growth and we must ensure that education and training are both up-to-date and relevant to today's demands.

One of the principles which lie at the heart of our party is that the role of government is not to direct and control people's lives, but to create the environment that enables people to solve problems for themselves. This government must understand that its role is to encourage people to invest in their future. Instead, we see a government that has become tired and unwilling to provide the necessary leadership to get Ontario working again. We believe the best solution for Ontario's problems comes down to working with people, something this government has chosen not to do.

One of the key elements to getting people back to work is investment in research and development. In Ontario, we have the institutional framework to facilitate this investment. We are fortunate that we have a network of universities and community colleges throughout this province, and centres for excellence, the university research incentive fund and the centres for entrepreneurship. These structures have the potential to become pillars of growth, and I believe they can do that. I believe that government must help harness that potential by encouraging post-secondary institutions to substantially increase the focus on the commercial uses of research and development.

Job creation and sustainable economic growth require an investment in people. Our party is committed to working with the private sector to help young people be better prepared for the transition from school into the workplace. We will continue to propose measures to improve job training as well as provide the necessary leadership to get Ontario back to work again. I know we have the potential to succeed.

The people of this province have done great things together in the past, and I look forward to working with our leader, Lyn McLeod, and the caucus to address the many challenges facing us. Clearly we can do even greater things together in the future, but we need a government and a leader that will lead the way with ideas and solutions.

I would like to close by quoting the Right Honourable Lester Pearson, a former Prime Minister of this country whom I have long admired and respected. I believe this gentleman understood the worth of the individual and had a true northern spirit. I quote Mr Pearson:

"The fundamental principle of Liberalism is that the foundation of its faith is belief in the dignity and worth

of the individual. The Liberal purpose remains the creation of opportunity for men and women to become self-directing, responsible citizens."

This statement still holds true today.

In closing, I call upon all of my colleagues from all sides to support this worthy and most realistic resolution put forth by my leader, Lyn McLeod.

1610

Mr Ted Arnott (Wellington): I'm pleased to rise on behalf of the people of Wellington this afternoon to make a brief speech in response to the resolution brought forward by the Liberal leader, which is harshly critical of the NDP government's policies over the last three and a half years, critical of its action on the economy, its record of unemployment, its tax record, its lack of leadership and so on. The resolution continues by being quite critical of the Conservative caucus in suggesting that our Common Sense Revolution plan will not work and is unrealistic, and then very briefly indicates what they would like to see done with respect to provincial policy today in Ontario.

Of course, we're in the season where we're getting close to an election campaign, and, quite properly, the parties are putting forward their observations, their beliefs about what the next government should do, the government that will assume power in 1994, this fall, or 1995, depending on when the government decides to have the election. I think the people will have a very good opportunity in the provincial election coming to assess and compare the record and the ideas for the future of the three political parties.

We've seen the government's budget of this year. It's received some mixed reviews. I'm sure the government members are out there in their ridings trying to sell it. It's very much a continuation of the status quo, the policies of the government over the last three and a half years. It's really no deviation from those, and I think the government members would agree. It's a status quo budget, and I think its greatest weakness is its debt projection.

I see the young people in the gallery. I was actually waving at one of the young lads up there. I'm sure they're enjoying this debate this afternoon. I'm sure they're wondering about their future. I'm sure they're not aware of the debt level in this province. We know that the debt when the Conservatives left office in 1985 was about \$30 billion. It took about 120 years to reach that level of debt. Five years of Liberal government added about \$10 billion to that debt, putting it at about \$40 billion. Now, when this budget is finished its fiscal year, the debt of Ontario will be about \$90 billion. So it's approximately tripled since the Conservatives left office, in about 10 years.

That concerns me personally. I'm 31 years old. People my age, my generation, will be paying for the excesses of the 1980s, the high spending, through the high taxes which were brought in to attempt to keep track of the spending of the Liberal government at that time. But this is the status quo idea of what the government thinks should be done.

We're able to compare this with the report of the Lyn McLeod Task Force on Jobs, Getting Ontario Working Again. This is the result of a task force that I believe many of the Liberal caucus members participated in. It makes some modest suggestions about what the government should be doing, and it indicates what I suppose the Liberal platform will be, which is in my view very much a continuation of the status quo with some minor changes, a very modest tax cut proposal which isn't very specific, talking about the fact that payroll taxes are probably inhibiting job creation. I think they recognize that. I wish they'd recognized it in 1988 when they brought in the employer health tax. They would argue that the economy was booming and so on and we were able to sustain it at that time. But the reality, and I think most honest Liberals would agree with this, is that those taxes could not be sustained except in an extremely booming economy. Now those tax levels are hurting our economic prospects.

I don't want to be overly critical of the Liberal plan, because if those steps were taken I think they would result in some modest improvement in the economy, but I want to get to our plan, the Common Sense Revolution. We've got a good picture of our leader on the front. We're proud of him. I'm glad he's out there selling it these past couple of weeks.

I believe in this plan. I think the proposals we've put forward are what's needed at this time. The people of Wellington whom I've talked to over the last three and a half years since they sent me here as their member have told me that all these things have to be done, that taxes have to be reduced.

What we've said is that provincial income taxes ought to be cut 30%. Some have said that's unrealistic. It's happening in other jurisdictions. The new Governor of New Jersey is reducing personal income taxes at the state level by 30%. We believe that would put more money in people's pockets, and we think it's a good suggestion. If the Liberals are against our proposal of a tax cut, I'm sorry about that, because I think it has to be done.

We've called on the government to reduce government spending significantly, dramatically, and that's where we're getting the greatest resistance. A lot of people who are dependent upon government spending would be very concerned about seeing a reduction in non-priority spending, which we have said is spending outside of (1) health care, (2) classroom education and (3) law enforcement. We've said that those areas ought to be exempt from the cuts.

We list about \$6 billion worth of cuts specifically. I forget how much the Liberals suggest they're going to cut—maybe the Liberal Finance critic will indicate later on—but I think it's \$1.1 billion for Jobs Ontario, half of which has already been spent for this year, I understand—maybe I'm incorrect on that—and about \$65 million of additional spending. That really leads us to believe that taxes are likely to go up under a Liberal government, if it decides to endeavour to balance the budget over the course of its mandate, but I'm sure we'll hear more about that later.

We talk about cutting government barriers to job

creation. As a small business advocate and as a co-chair of our small business task force, I've heard time and time again, and I'm glad the Minister of Economic Development and Trade is listening because I know she has heard this message as well, that small business needs a reduction in red tape. We need to see Bill 40 repealed. In my opinion, we need to eliminate the employer health tax for small business. Any business under \$400,000 in payroll ought to be exempt from paying the employer health tax. That would be a direct stimulus to job creation.

We think that interprovincial trade barriers ought to be eliminated, to the extent that we can do that through discussions with the federal government on a bilateral basis. We've also called upon the government to reduce workers' compensation premiums by 5%. We think that would help with job creation.

We've called upon the government to cut its size. We believe government could do better by spending less; we believe very strongly in that. I've heard that from many of my constituents in Wellington. They believe that the level of government has grown too high and that we're not getting the service from government that we used to, even four or five years ago.

Of course, the fifth element of our plan, which to me is the most important element, the thing that is absolutely essential for everyone in Ontario, is a realistic plan to balance the budget over a period of four years. That's essential for restoring investor confidence. It's essential for restoring hope in Ontario for our future.

I'm very pleased that we have put this plan forward. We've received an independent endorsement from Dr Mark Mullins, who is the chief economist at Midland Walwyn, one of Canada's most respected securities firms. He has said that this plan will work, and he's put it through his economic model to demonstrate that the numbers do add up, that the numbers are internally consistent.

What we've done with our plan is we've costed everything. We've suggested what the cuts are going to cost, where the cuts will come from. We've been extremely specific. We've been more specific than any other opposition party. It's almost like a provincial budget in terms of its specific nature.

We've also received an endorsement, as much as we're ever going to get from a newspaper, from the Globe and Mail. Their editorial on May 7 was one of the best endorsements we've received, suggesting that this plan is something the people of Ontario want and need. They also indicate, and I think this is one of the greatest benefits of our plan, that this plan will define the issues of the coming election. I would predict the Liberals are going to have to come up with another plan to respond to what we have said in this document.

I don't think we've heard the last from the Liberals. When they go out and try to sell their plan and are asked by the people of Ontario, "The Conservatives are going to do this. What are you going to do?" I think we'll find that this is not the last plan the Liberals will bring forward. I'm very interested in seeing how the Liberals respond to this debate. I'm looking forward to seeing the rest of the Liberals come forward to speak in this House.

There aren't too many of them in the chamber at this time.

Interjection: There's one.

Mr Arnott: There's one, and we're looking forward to hearing from him. As I say, this agenda the Liberals have brought forward is something that would, in a very incremental way, assist in improving the economy of Ontario. I just say that it's not in any way far enough.

1620

Mr Sutherland: I'm pleased to comment on this opposition day motion put forward by the Liberal Party. In putting this motion forward, the Liberal Party ignores some of the history of how we've got to the situation we are in today. I think we need to recount some of that history.

Basically, what we ended up with when we took government in 1990 is that a structure had been built up that was no longer sustainable: a structure of public services that could only be financed if the economy continued to boom at 6% and 7% growth a year, a system of public services that, while generally working well, had not been modernized to the degree they should have been, had not been updated in a way they should have been; a system, as I say, that required a great deal of economic growth.

We also had some other public institutions that were on very unsustainable courses. I think of the \$34-billion debt at Ontario Hydro. I think of the \$10-billion unfunded liability at the Workers' Compensation Board. In 1980, the unfunded liability at the Workers' Compensation Board was only \$400 million. When the Liberals took over it was \$6 billion, and then it went to \$10 billion. What was done with that in the 1980s? How was the Ontario Hydro debt that went to \$34 billion by the time we took over created?

We had a structure that was no longer sustainable, and then we didn't have the finances to support all our public services when we went into the worst recession since the 1930s. We went through something that's been unprecedented since the 1930s: Government revenues dropped three years in a row.

The third party, the Tories, will say, "We did this during the last recession in 1982-83," but the revenues were still increasing. What this government faced was the challenge of trying to restructure these services, trying to restructure the economy, so that in the long run it will be sustainable, so that in the long run it will create the jobs so the young people in our galleries today will have the opportunity, the future and the hope to contribute to our province in a way that many of us have contributed, probably in greater ways than some of us have contributed.

That's what this government was faced with, and this government has dealt with significant changes. For example, we didn't have an adequate training and adjustment system. While we are going through the worst recession and more people are being laid off and losing their jobs permanently as manufacturing leaves this province due to restructuring, adjustments to free trade etc, there wasn't an adequate adjustment system. We've

established the Ontario Training and Adjustment Board, one of our most successful programs. The Jobs Ontario Training program, as my colleague for Chatham-Kent said, has provided great success.

I held a round table with some of the businesses in my riding that are participating in it, and one business person said to me, "Our company has not participated in any government training program for 20 years." I asked him why, and he said: "Because they don't meet our needs. This one does."

The Jobs Ontario Training program is meeting the needs of business people, getting people who were on social assistance off that and giving them the new skills. Yes, as the member for Kenora said, "People need to be empowered." They're going to be empowered through the Jobs Ontario Training program because they're getting the skills they need to be self-sufficient. That's what this government is doing to get people back to work, that's what this government is doing to support businesses, that's what this government is doing about creating jobs.

Not only are we empowering individuals but we're empowering communities, and we're empowering communities in a couple of different ways; one, through the Jobs Ontario Community Action program. This program is a very effective one. It wasn't developed by the Tories; it wasn't developed by the Liberals. The basic sense of the Jobs Ontario Community Action says that the local communities know what their priorities are, know what their needs are, and the provincial government needs to respond to that. We've taken some of the program funding out of four or five different ministries that you used to have to apply to separately, put that all together and said, "As a community, come together and say what your priorities are."

In my riding of Oxford, the city of Woodstock has a proposal to develop a community complex in conjunction with Fanshawe College campus, a child care centre; they're going to build two new arenas to replace one that's 85 years old; a new gymnastics club, a \$12.5-million project. The government's committing \$3 million, the city's committing several million and the people of the area are committing a couple of million through different fund-raising efforts.

You know what the deputy mayor said about the \$3-million announcement? He said the project would not go forward without our contribution, and he said it's the best news the city of Woodstock has had in 25 years.

In the town of Ingersoll, the downtown was struck by a devastating fire two years ago. Jobs Ontario Community Action has also contributed funds there because they had developed a downtown revitalization strategy. The community had come together and said: "This is our priority for the downtown. We want the support." We're giving them more than \$700,000. The town is matching that and, as a result of the investment we've made, local businesses are upgrading their businesses; they're investing; they're renovating; they're developing a heritage theme. There's been more investment made in the downtown since we made that announcement. Those are the types of things, those are the types of mechanisms, those are the types of levers that weren't in place before

September 6, 1990. Those are the levers that are now in place that this government has developed, that empower individuals through Jobs Ontario Training, that empower communities through Jobs Ontario Community Action.

Let me say that I think we have seen this province go through a very, very difficult time period, but we put out very specific programs that support individuals and support communities. The Liberal job plan: Quite frankly I describe it as a warm, fuzzy document, and that's really what it is. Those who've been involved in high school student leadership programs know about warm fuzzies and they're basically to make people feel good. So the Liberal jobs plan document says all the right words, but there are no specifics. There's no clear plan there. It just says: "Well, we should work with small business. We should make the environment better for small business." It doesn't say how. It says a whole bunch of things like that. It says very vague, warm, fuzzy statements but no specifics.

I think the people of Ontario want specifics and they can see that from what this government has done. Through Jobs Ontario Training and Jobs Ontario Community Action, they see specific results in my community: The community complex project is getting under way; the revitalization strategy in Ingersoll is being implemented. Specific plans, specific approaches, a plan that is working and empowering individuals and communities, that's what this government has done.

Mr. W. Donald Cousens (Markham): In speaking on this Liberal opposition day, I'd like to begin by offering some agreement with the Liberal motion. I think we really do have to look at the misery index for the people of Ontario. When you look at the alarming levels of the misery index, it is something that every one of us has to start to be concerned with and to deal with.

You realize there are 590,000 people out of work and the prospects of them getting back into the workforce diminish as time progresses, so the likelihood of those people being able to find a real opportunity again is a matter of great concern to all of us.

Anyone who's in the young age group who don't have experience have a tough time finding a job, their first job, and those over 45—it used to be 50 and 55, but now those people who are in their mid-40s, if they're dislocated, they have a very, very difficult job of finding a fresh start.

Young people especially, and I agree with the Liberals on this when the honourable Mr Phillips—I still call him honourable—talks about the 30% factor that youth are hurt by, that is a fact. All you have to do is talk to your own children who are in their late teens and early 20s and their friends are unemployed, can't find jobs. I'm worried about them and I say their misery index is high. Their frustration level is huge.

Then when you look at the 1.3 million people on social assistance in our province, every one of those people has a sense of concern about their future and they don't like their circumstance. They don't want that circumstance and they want to do everything they can to get out of it.

We, in the Legislature, have a responsibility to help

those people who are hurting, those people who can't help themselves, those who are the have-nots of the province of Ontario. That is our obligation; that is our responsibility. The last thing we can do is abandon them and let them feel that there isn't someone who genuinely cares. I have to say on behalf of Mike Harris, our leader, and the PC caucus, we have a genuine sense of concern for those people whose misery index is so very high.

I also agree with the Liberals when they talk about the whole abandonment, on the part of Mr Laughren and his company, of the fight against the deficit. The fiscal policies of this government are discredited and this government really has to be ashamed of its failure to get Ontario back to work. There has not been any true stimulation of jobs in the province of Ontario. The high cost of these jobs has been somewhat artificial, because they're very short-term. When the government comes along and puts the money in to provide a job, it lasts as long as the government's money is behind that opportunity. If in fact you start it from another way and create the jobs through private enterprise expanding their business, opening up doors for people, then that is when jobs will last far into the future.

1630

I also agree with the Liberal motion—and this is where it ends—when it says that Ontario is looking for bold new ideas and leadership. I'm satisfied that is the case. This is where I start to show where I agree. That leadership will come from this man, Mike Harris, and what Mike has done and what he is doing today within our party and within the province of Ontario in bringing forward the Common Sense Revolution. He is bringing out the very things the Liberals were calling for, bold new ideas and leadership, because here is a person who has worked it through, understands the needs of Ontario, understands the balance you have to have between government and private enterprise, all private enterprise.

Mrs Margaret Marland (Mississauga South): On a point of order, Madam Speaker: I do not believe there is a quorum present in the House.

The Acting Speaker (Ms Margaret H. Harrington): Will the clerk please determine if a quorum is present.

Senior Clerk Assistant and Clerk of Journals (Mr Alex McFedries): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Senior Clerk Assistant and Clerk of Journals: A quorum is now present.

The Acting Speaker: We may resume the debate. The member for Markham has the floor.

Mr Cousens: I was just having the pleasure of making sure that more people, along with the member for Mississauga South, understood what the Common Sense Revolution is. The one thing the Liberal motion calls for is new leadership and new ideas; they're to be found in this document. The Common Sense Revolution really begins to give us a sense of direction in this province.

One of the things in the Liberal resolution that we're dealing with today is that they're concerned that the promises are unachievable, that they're unsound ideas, and the flagrant approach by the Conservatives.

I can just tell you that if the Liberals would like a copy of this, we'd be pleased to give them an extra one to read in whatever language they want, English or French, and we'll certainly give them every assistance to understand that here is a party that is working to come forward with a strong statement for the future of Ontario.

Ontario undoubtedly has great challenges ahead of it. We've got a government that's in power and will have been in power as of September 6 for four years, which has just prolonged the recession with its policies.

Interjections.

The Acting Speaker: Order. I would ask members to take their seats, please, if they are in the chamber. Would the members please take their seats. We'd like to listen to the debate.

Mr Cousens: Speaker, you're doing a fine job, thank you, bringing control into this unruly House, I tell you. Notice how well-behaved the Conservatives are and how ill-behaved the government party is. The Liberals are behaving today because it's their resolution.

The challenges that this government has not faced: They have prolonged the recession and you start to see how the whole revenue base in the province of Ontario has been eroded. We have seen the revenue that is generated through taxes and through the government programs lowered by \$2 billion than what it was two years ago. This government has discouraged new investment in our province.

I have to believe, along with Mr Harris and our party, that this government neither has the intellectual nor moral capacity to overcome the problems and difficulties that surround the province of Ontario. In fact, since they've been in power, they have made things worse. We've had three downgrades in the credit rating for the province of Ontario. The quality of services continue to decline.

Look upon any of the services that are delivered to the people of the province: the roads are poorer; the health care is more difficult to get into—and we know the difficulties there; school problems continue to abound; and are our communities any safer than they were before?

We are indeed concerned about all of the major issues that touch upon the people of Ontario. If you ask them today, are things better now than they were four years ago, the sense they have is, no, they're not, because all of those fundamental services, in one way or the other, are being impacted negatively.

What you've got is a government that has gone and shoved the money off the books and tried to hide it. The auditor has had trouble accepting the way the books are presented, and all you have to do is look at the way pension funds are being moved from one set of books to another.

A prime example was in OPSEU. It's just an example of tinhorn chicanery where this government has come along and done its own tricks. They have not begun to look at the overall picture or be honest either with ourselves or with themselves on really what it's all about.

Mr Sean G. Conway (Renfrew North): Don, what was that, "tinhorn chicanery"?

Mr Cousens: That's what I said.

Mr Conway: Now, that's a line. Did you all hear that?

Mr Cousens: I don't think anyone did except you, Sean. They blow their horn. They make noises. They make it look as if everything is perfect, and it takes us in the Conservative Party to come along and call it for what it is, call a spade a shovel, and at that point, you begin to realize there is another side of the story, rather than what is being presented by the government.

We have problems, and part of the issue that underlines the opposition motion of the Liberals today is that we have serious money problems. We are exceeding expenses by \$1 billion a month, and for the last 36 months, we're spending \$1 billion more than we're taking in, and we're looking at ourselves in a deeper and deeper deficit all the time, because the government has not gotten control of its spending. It spends far beyond what it's taking in, and so when you have the high taxes and the high deficits that we have, pretty soon every person in Ontario will need two jobs to keep up with what the government's calling upon us. Indeed already people are working harder and longer than they have before, those who have jobs, in order to pay for all the taxes and all the levies that are being laid upon them.

Is there any doubt that we have problems in Ontario? We have a problem and the problem has to do with an economy that is just not back in drive again. We have a problem with confidence in government trying to do things but doing them in the wrong way. We're dealing with people who are saying, "Give us help; give us hope," and the people of Ontario have been grossly disappointed by the leadership they've had for the last nine years.

1640

That really leads me to the issue that is part of this motion. The Liberals have come in and said, "Okay, we have a number of issues." Well, I have to say the Liberals had five years of spectacular growth in the province of Ontario, and what did they do with all the money that came in? They spent it. The Liberals had to manage a boom. The PCs before them had to manage a depression, and there's the thing—

Mr Conway: Forty-two years?

Mr Cousens: Well, 42 years: You look what happened. At the end of 1985, when the Liberals took power, the total accumulated deficit was \$30 billion. During the period of the five years, they went from \$30 billion to \$40 billion. It didn't take long to increase it, and they did it because all they could do was spend and spend and spend.

I repeat, for the sake of the Liberals, they managed in a time when there was a boom in Ontario, when things were growing, things were happening. The previous four or five years, during the early part of the 1980s, when I first came to the House in 1981, were tough times.

When Mr Peterson came, he said, "Boy, we have the sweet headaches of growth." He had the excellent opportunity of a lifetime to do something different, but he blew it. The Liberals absolutely blew it during their time. When they came to this government and they took over—

mind you, with the tremendous support of the accord and the New Democratic Party—they added 10,000 civil servants during their term of office. Don't forget the \$10-billion debt they added. They hiked taxes 33 times in their short period of office. They gave jobs to their friends like Mr Ashworth. And Patti Starr is a memory that we will all remember, not cherish.

There are stories that go deep into the history of Ontario during the Liberal time. They had their \$1,000-per-day trips in Italy, when they were able to go there and spend great amounts of money. Larry, Curly and Moe running the province couldn't have screwed it up more than the Liberals did.

I come along and start asking what the Liberals have done. I ask people, "Name me one substantial measure that they did during their term," and I can't find it. You name me one substantial measure that they're promoting in the document they now talk about, and I say look hard for it, because it's not to be found. Again I have to agree with the parliamentary assistant for Finance when he said there is nothing substantive in the policy documents coming out of the Liberal Party here in Ontario.

When the Liberal Party comes along and says it's going to give a 5% tax break over five years, I would say that if you call that substantial, maybe you should give Girl Guide cookies out; there's more substance in them than in your 5% reduction over five years.

The fact is, this government over here has done it badly, but the Liberals come along, and when you start looking at their policies, there is not the substance to their promotion that really gives credibility to it.

I sit here and stand here in the House daily, watching what's going on. What we have to realize is that the Liberals had control of the government in the boom times. Things were great, but they did nothing to create the opportunity for the future after that. So in part I am sympathetic to the NDP, because when they came in, the cupboard was bare. Instead of there being a surplus, there was a deficit. Isn't that right?

Mr David Johnson: That's right.

Mr Cousens: The member for Don Mills will recognize that well, as former mayor of East York. All of us in the province thought, "Oh, the province is going to have a surplus this year," and it was a huge deficit; it was in the billions.

You start to understand that there's a magic to what goes on. It's called sleight of hand, or lapse of memory. If there's anything that's a lapse of memory, it has to do with the Liberal lapse in remembering when they left the province and how they left it in such a way that the NDP had little chance to correct the direction that ship of state was going, because to turn it takes a long time.

Unfortunately for the rest of Ontario, the NDP didn't have the wisdom to know when to start turning, and when they did start to turn, they turned towards the rocks. But that is all part of the life of Ontario as we have it today.

Everyone tries to rewrite history so that they look good in it. So I stand up and try to paint the NDP as black as I can, and then I'll paint the Liberals even blacker, and

then they'll stand up and try to paint everyone else black, and the public comes out and they end up saying, "The whole bunch of you have mud on you, because all you keep doing is throwing it at each other."

What you have to look at are the facts, and the facts are rather simple. The NDP have messed it up badly over the last several years. In that regard, I agree with the Liberals. I wish the Liberals could remember how badly they left the ship of state when they left office ignominiously back on September 6, 1990. They went into that election feeling they had everything to offer Ontario, and the public remembered all that had gone on during the David Peterson years. They remembered that the single biggest tax grab before Floyd happened to be Mr Nixon himself. They remembered that in such a way that when they voted, they voted in this government we have today.

When I look at the proposals that are coming out of the Liberals, I have to say that it's good to see they're coming out with fresh thinking, but they haven't accepted responsibility for how they left this province when they departed. They have not accepted the fact that they increased our taxes so many times, that they overspent during that period of time, that they didn't create job opportunities, and that they brought in so many new programs that downloaded the taxes so that the local ratepayers were affected.

Now we have the very much holier-than-thou approach of the Liberal Party going out and saying, "We're going to reduce taxes by 5% over five years." Isn't that something? That should maybe keep up with inflation the way it used to be.

"Reducing the paper burden by cutting the cost of doing business with government": I think that's laudable. If only we could begin to change the whole system of government and re-engineer it. I don't hear anyone here in the Liberal document saying, "Let's run government like a business." That is not implicit to their thinking. Bring the business concepts to work here in government so we start having the sense of living within our means: Cost-justify things, measure results, some of the simple things, the hard things, I guess, that business people are doing on a regular basis.

When I look at the government, there isn't any doubt that the government has a failed Jobs Ontario Training program. I look at the Liberals saying they're concerned with the "job-killing sections of Bill 40." Why don't the Liberals say they'll get rid of Bill 40? Why don't they admit they have problems with Bill 40 and make a strong statement on it?

Mr Mike Cooper (Kitchener-Wilmot): They never did before. Why would they now?

Mr Cousens: Well, that's a problem. We don't know what they mean by what they're saying, this "job-killing sections of Bill 40." Offer something else to make the labour situation in Ontario more favourable.

But there is one thing I do agree with in the Liberal motion: the \$30-million Interim Waste Authority. It's more than \$30 million. The costs of the Interim Waste Authority, my friends the Liberals, is over \$100 million. You look at all the costs that have come into it.

Mr Gregory S. Sorbara (York Centre): Attaboy, Don.

Mr Cousens: Absolutely. We'll keep fighting that dump, Greg. There's no doubt that we'll do everything we can do to have a major landfill site in York, Durham and Peel. When you look at the Liberals, they have suddenly reached the point where they have been converted on the road to Damascus, but I don't believe it.

Interjection: The road to Markham.

Mr Cousens: Hey, there's a road to Markham, but the road to good health in the province of Ontario is with Mike Harris.

The Acting Speaker: The member's time has expired.

Mr Cousens: Call 1-800-903-MIKE. That's the road to success for the province of Ontario.

Hon Shelley Martel (Minister of Northern Development and Mines): I want to join in this debate. I won't be speaking long, because there are a number of other members in my caucus who want to say a few things about this resolution, but there are a couple of things that I wanted to say with regard to the resolution, particularly as it affects northern Ontario.

I wanted to say that I'm pleased to participate not so much because I don't believe the Liberal targets can be met, particularly the target with respect to balancing the province's budget, because I think the upheaval you would have in our social service system, for example, would make it impossible to allow them to continue to cope, but because it allows me to reinforce a number of the things the government has done in our special part of the province to create work and stabilize communities.

I want to talk a little bit about our capital works program, because that has been very important in particular in northern Ontario as part of our effort to get people back to work during these very difficult economic times.

We have seen the capital works programs that we have instituted as fulfilling three promises: first of all, a promise to get people back to work, even if it is for a short period of time, to allow them to make a positive contribution to our society again. Secondly is to allow the purchase of goods and services in communities locally, to help those businesses supply services that will be necessary in the construction projects that are going on. Thirdly, to improve the quality of life in communities in our part of the province, what we've been trying very much to do is to ensure that communities right across the province, but in northern Ontario in particular, are good places to invest in and will be good places for long-term stability for those people who want to come and spend their money and relocate there.

1650

We have been very successful, through a number of programs like the anti-recession fund, like Jobs Ontario Capital, like Jobs Ontario Community Action and through the base budgets of all of our ministries, at ensuring that in our special part of the province we have a good amount of money set aside for badly needed infrastructure projects. Through the two programs in particular, through anti-recession and through Jobs Ontario Capital, in spite of the fact that our population is only 8%, we've

received about 30% of all the funds that have been allocated. I believe that's a reflection and recognition by my colleagues of the special needs that we have in our part of the province and the necessity for the government to try to meet those special needs.

Through Jobs Ontario Community Action, we will have about 25% of all the funds that will be allocated, and in a number of communities again this summer and next summer we will have people working, we will have capital projects that will go in place, we will have the purchase of goods and services and we will have the improvement of the quality of life of a number of people across a number of communities.

I want to say that in the very early days of the anti-recession program, and Jobs Ontario Capital in particular, the Ontario government was the only group, the only government, that was really promoting job creation in any of the communities. Had we not been there, no one would have been working in a number of northern communities.

Secondly, we have been very successful, through the Northern Ontario Heritage Fund Corp, which I chair, at working in partnership with northern entrepreneurs to expand businesses that are already in place or to create new ones. The Northern Ontario Heritage Fund Corp was set in place by the former government and we have continued with it. It provides for an allocation of \$30 million on an annual basis over 12 years, with the purpose being to allow northern entrepreneurs in the manufacturing sector, in the farming sector, in tourism-related sectors and finally in the mining sector to have access to financial support from the provincial government in the form of loans or grants to allow them to hire northerners to work in our special part of the province.

Since I have been chair of Northern Ontario Heritage Fund Corp, we have spent our \$30 million every year. We have provided for jobs in northern Ontario and we have gotten people back to work. Since the inception of the fund, we have spent about \$200 million through 1,400 projects and we have employed or created jobs that will keep 10,000 people in place. At a very difficult time in our economy, when the private sector was very reluctant to come forward and have investment, when the traditional banking institutions and other financial institutions were reluctant to provide funds for the same, the board members and myself have been very diligent in ensuring that there is financial assistance in place for northern businesses to maintain and to create new jobs in northern Ontario. The fund has worked very well and we will continue, Madam Speaker, I can assure you, to spend that \$30 million each and every year that I'm here.

As well, the government has spent a lot of time and has put aside a lot of resources, both financial and in human terms, to try to deal with communities in crisis in northern Ontario. Because of the recession, because of the effects of free trade, because of the very high interest rates that were in place when we came to government and because of the low commodity prices that companies are receiving both in the base metals sector and in forestry, we have seen a number of communities, most of them in northern Ontario, that have been in crisis. In

those communities, the local mill, be it a sawmill, a pulp and paper mill, or a mine, have been in the position that they can't sell their goods and services, and there is major change that is occurring in that community.

In places like Kapuskasing, in Sault Ste Marie at Algoma Steel, in Sturgeon Falls at MacMillan Bloedel, in Atikokan at Proboard, in Thunder Bay at Provincial Papers and in Elliot Lake, we have spent much time, we have spent much effort and in some cases we have spent a fair bit of money to help people manage that change. We have worked very well in conjunction with partners at the local level, be they business leaders, trade union leaders, or civic and educational leaders, to put together packages for survival that would ensure there would be long-term stability and jobs in the future for those communities.

We have been very successful in that regard, and one of the highlights of the time I've been here is when I saw the Algoma shares reach \$18 just before Christmas, or when about three weeks ago in Kapuskasing there was the sod-turning for a new sawmill, a \$150-million investment all financed by the private sector in a community that two years ago we all thought was dying and was going to be dead.

I really want to commend the people in our special part of the province who have worked with the provincial government to ensure they would have, in effect, in their communities a long-term future and jobs; even if in some cases it was for a smaller number of people, there would be jobs and there would be stability and there would be a future for the long term. This government has made a major investment. I certainly hope we are over with the communities in crisis, but for those we worked with, we have spent a great deal of time and effort and money to protect people and protect their jobs.

Finally, there is a great deal of work being done right now in the forestry sector between my ministry and the Ministry of Natural Resources, and in that respect I was very pleased to participate, yesterday in fact, in an announcement in Thunder Bay with my colleague the Minister of Natural Resources and my colleague the MPP for Port Arthur. We were there yesterday to announce a \$21-million investment in a new hardwood mill in the city of Thunder Bay. The proponent is Buchanan Forest Products, and in that case we will have 89 people working in the new mill; we will have at least 100 more in both the transportation and the harvesting sectors. That's only one of a number of projects that we will be announcing.

Earlier, in March or April, my colleagues and I were also in Sault Ste Marie. At that point, we were assisted by the proponents from Yeager Corp. That's a \$110-million investment solely financed by the private sector, no government involvement whatsoever, with again a new mill being established in that case, the possibility of about 130 new positions in the mill and about 200 between the woodlands and the trucking operations.

We will, by the time we finish negotiating with the many proponents who have come forward who have an interest in hardwoods and new mills, have an investment

of over \$500 million in this province, all funded by the private sector, no government assistance, and the possibility of well over 900 and up to 1,000 new jobs in northern Ontario as a consequence. That's a major initiative of this government. It certainly is a major investment by the private sector, and I think it's a sign of the confidence the private sector has in our province and in our special part of the province and in the workers in northern Ontario that it would make that kind of financial commitment.

In closing, because, as I said, there are other members who wish to speak, I want to say that very clearly, in spite of the difficult economic times we have seen in this province and in spite of a lack of participation by the federal government, both the former and the present, in any of those initiatives, we have as a government done a great deal in northern Ontario to create jobs, to maintain jobs, to manage the restructuring that had been coming and to ensure that in many, many communities there will be a long-term future where there would have been none otherwise, and I am very proud of our record in northern Ontario.

Mr Sorbara: I'm particularly pleased to be able to participate in this debate, because it gives me an opportunity to put on the record a few remarks that arise from the resolution our party has put forward today and speak a little about the genesis of that resolution and the origin of some of the proposals put forward by the Ontario Liberal Party and our leader, Lyn McLeod, in the jobs task force report that I had the pleasure of co-chairing with my colleague the member for Scarborough-Agincourt, and to speak a little about what we learned over the course of almost three months of hearings, discussion, debate and analysis about the state of the Ontario economy and proposals to re-establish the kind of economic vitality that we in our party, certainly the member for Scarborough-Agincourt and I, agree still remains possible.

I tend to use the phrase "unlocking the enormous potential" that still resides in this province, and I firmly believe that the responsibility of the next government—and there will be a new government in Ontario—is going to be to govern imaginatively and creatively and with vision and with determination and courage in a way that unlocks that potential.

1700

Our history has been, on the whole, a rather magnificent one. In comparison, these past four years have been very difficult for so many hundreds and hundreds thousands of people and their families and their businesses, as jobs have been lost, as businesses have gone into bankruptcy, as whole communities have suffered the ravages of the most serious recession—I call it a depression—that Ontario has experienced since the Dirty Thirties.

I want to refer back for just a moment to the comments of my friend the member for Sudbury East, the Minister of Northern Development and Mines. I recall that in her closing comments, she was heaping yet more praise on her government and initiatives her government has been able to put into place, reminding us once again that there was no help from the federal government.

I get so offended by the increasing tendency of governments—municipal, federal, provincial—who are always looking for another level of government to blame. When Bob Rae's government was elected, assuming a little that this was something new for Ontario and there was going to be a somewhat different style, I was half-hoping and expecting that at least that part of political rhetoric could become, at least for a while, part of history.

But the recession was deeper than expected and some very serious mistakes were made, particularly in the early days of the Bob Rae government. The first budget is acknowledged, I think even by people in his own party, to have been a very serious mistake. Later on, there was the mistake of the labour legislation, not entirely bad in itself, as I've said in this House on many occasions, but the wrong recipe for the times. As we were losing more and more jobs, the government's determination at that time was to make Ontario the so-called toughest labour jurisdiction in North America. That sent one of the worst signals possible to the rest of the world, and the consequences were that the recession got even deeper, the economic difficulties got even more severe.

The Treasurer, in the budget after that, had to revise his deficit predictions dramatically and drastically. Ontario got even further in debt. The very fact that we were in a debt spiral then became worse, as fewer and fewer people took the government seriously. More and more people were paying attention to the fact that Ontario, which had always been the leader in economic growth and development in Canada, even in North America, was in a debt spiral and a recession spiral that was unparalleled. We became the economic cripple, if I could use that expression, in Ontario, rather than the province that was going to lead Canada out of a Canadian recession—and a global recession, at that.

After that, unfortunately, I believe Bob Rae really got on an it's-all-Ottawa's-fault hobby horse. I point to that point as the point where Bob Rae's government really lost it. When you're looking for others to blame, you really know you're in trouble.

It's not as if the government in Ottawa, the current one and the previous one, is absolutely without fault, but what always struck me as really unconscionable is for Ontario to be complaining that other governments in Canada were getting more and that Ontario wasn't getting its fair share. We had a debate on a resolution to that effect in this Legislature last week, if I recall correctly. I couldn't even be here for the debate or the vote, because I would have been so angry at Bob Rae, once a champion of Canadian unity and Canadian solidarity, whining publicly in this Legislature about what cruel treatment Ottawa had given to Ontario over the course of the past five years, and indeed with the new government in Ottawa.

Bob Rae wanted more. He wanted a fair share. He wanted the federal government obviously to tax somebody more so that more money could be transferred to Ontario.

I just wonder, and I wonder out loud now, whether Bob Rae could take that message to the fishermen of Newfoundland and go and campaign in Newfoundland,

which has been so terribly devastated by the disappearance of the fishery, and say to the people of Newfoundland that their obligation was to somehow be taxed more and work harder so Ontario could get more. Or even indeed go to the province of Quebec, where unemployment is so much higher and some of the entrenched economic problems are so much more severe than in Ontario, and say to the people of Quebec, "You're not contributing enough to Ottawa so as to allow Ottawa to transfer more here." Or to go to the farmers in the Prairies who have suffered so severely in a very difficult global wheat market, and say to them that somehow their obligation is to give more up to the national government so the national government could give more here.

Not to hear anything from Bob Rae about how we can figure out a way in Ontario to get back on the course that we've historically been on, so that we could do a lot more here in Ontario, so that Ontario could readopt its traditional role of providing for the more vulnerable parts of this nation who haven't had the kind of benefits and the kind of luxurious economic growth that Ontario is capable of—I was appalled and embarrassed that an NDP Premier, any Premier in Ontario, could whine and whimper about not getting more from the national government.

After all, where does the national government get the resources, the economic resources, to provide transfer payments to Ontario? That's what Bob Rae wants; he wants more transfer payments from the national government to Ontario. Where would they come from? They could increase their deficit in Ottawa and then transfer more to Ontario so Ontario's deficit would be greater, or they could raise taxes in Ottawa and transfer more here. It's one or the other, and where are those taxes going to be raised? They'd have to be raised right here in Ontario—

Mr Perruzza: Or Newfoundland.

Mr Sorbara: Or Newfoundland, my friend from Downsview says.

Mr Perruzza: Or BC.

Mr Sorbara: Or BC, my friend from Downsview says.

Mr Perruzza: Or Manitoba.

Mr Sorbara: Or Manitoba—asking Canadians in other jurisdictions to sacrifice more so Ontario can have more, and at the same time proclaiming that the Bob Rae economic plan is right on target.

I'll tell you what the Bob Rae economic plan is: a doubling of the Ontario debt in the course of four years, a doubling of the debt from \$37 billion when he took over to \$80 billion now—even more than doubling that debt; a rate of unemployment in Ontario that is historically the highest we have ever had, save for the years of the 1930s when the entire world was in depression. That's the legacy and yet the NDP has the audacity to stand up and say: "We're right on course. We're doing all the right things. If only the national government would pour in more money, if only other Canadians would contribute more to Ontario, things would be all right."

Forgive me, Premier Rae, but that is not my view of Canada, and that is not my view of being on the right economic course in Ontario. I think in Ontario we should only be happy when our economy is functioning so strongly that we have the resources to assist those other, more vulnerable economies in Canada. Anything short of that is unacceptable.

1710

My friend the member for Scarborough-Agincourt and I led a task force to try and examine what the real economic problems were in Ontario and how we would go about setting a new course, how we would go about really unlocking the potential that exists in this province and how we would go about articulating not the hocus-pocus of the so-called Tory Common Sense Revolution.

Forgive me, these guys every day sitting in their place or standing in their place and waving their brochures, saying, "Call 1-800-Michael," or whatever it is—I'm sorry, it's the classic kind of two-bit TV evangelical horse doo-doo that just makes people so sick—

Mr Perruzza: They pay good money for that; I know it.

The Acting Speaker: Order.

Mr Sorbara: There's my friend from Downsview, shouting across the floor, saying absolutely nothing. What's new?

One can look at that whatever-it-is revolution. It doesn't take very long to understand that pie-in-the-sky economics are not the order of the day, that the real challenge in Ontario is to bring together a group of intelligent, competent, realistic, hardworking men and women who will put forward a plan and a strategy that will lead us over the course of four or five years to an economic course that unlocks that potential I talked about.

I think that's what we brought forward, if I might be so bold and immodest, in our task force report. It talks about a reduction in taxation. We all know that has to be part of the agenda. It talks about reshaping government to let the economy breathe, to allow the economic potential that is here to reshape regulations so that the potential for the entrepreneurial spirit in Ontario can be once again realized. If you go through that plan realistically, you see what is presented there, and what I think we will bring to the upcoming campaign is that kind of realistic—

Mr Noel Duignan (Halton North): On a point of order, Mr Speaker: I believe there are not enough members in this chamber to listen to this diatribe.

The Acting Speaker (Mr Noble Villeneuve): Do we have a quorum?

Clerk Assistant and Clerk of Committees: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Acting Speaker: The honourable member may resume his participation in the debate.

Mr Sorbara: I wonder if we might just have unani-

mous consent to dispense with quorum calls for the balance of the afternoon.

The Acting Speaker: Do we have unanimous consent? No, we don't; sorry.

Mr Sorbara: Mr Speaker, I'm just going to wind up my comments and, just as a preview, suggest to you that members in the House and you, sir, pay very careful attention to the remarks we'll be hearing from my colleague the member for Scarborough-Agincourt who, I suggest, understands this business of job creation and new economic development in Ontario as well as anyone in this Legislature.

I believe the time for blaming others for economic problems must come to an end. The time to fairly and honestly and realistically evaluate Ontario's economic problems has now begun. I believe that in the next election, which we all hope will come sooner rather than later, Ontarians are going to be faced with clear choices. They are going to be able to evaluate the economic performance of the New Democratic Party in its term of government over the past four years, they are going to spend a few minutes, I believe, with the Tories' voodoo economics as presented in their revolutionary document, they're going to be able to look at the proposals that my leader and my party are going to be putting forward, and they're going to have to make some very tough choices.

I believe what is in this document, as summarized in this resolution, is worthy of consideration by the people of Ontario. When the people of Ontario continue that examination, I believe they are going to support it.

I thank you for the opportunity of speaking on the resolution today.

Mr Gary Wilson (Kingston and The Islands): I'm pleased to be able to join in this debate because it highlights some of the things that in particular our government has been doing in response to something that, from what you've heard in the House today, all parties recognize is a new environment in Ontario.

The one thing that can be said is that our government recognized it a lot earlier than the other two parties. They've come up with some things of late that they seem to think are quite innovative and worth paying attention to, but a long time ago our government came up with a plan. We revealed this plan in the House last year, it is seen at this point to be working, and we're going to stick with it.

Mr Perruzza: It's working good.

Mr Gary Wilson: As my colleague says, it's working good, and we know that this plan will carry us through.

Let me give you some of the details of what this is doing for our area in eastern Ontario. I think you just have to look at the Jobs Ontario Training program to see some of the successes that are associated with our plan.

I see the member for Cornwall here. I think he will be very pleased to be reminded of Ridgewood Industries in Cornwall. On September 21, 1993, a Jobs Ontario program was approved for ready-to-assemble furniture. That amounts to 150 jobs, at a contribution by our government of \$165,000. I think it's something the people of Cornwall are very happy to receive. They're

very happy to see that this business will not be going under but will be reviving, according to this Jobs Ontario project.

Another one is Kriska Transportation in Prescott, May 27, 1993. Kriska's a long-distance transport company. It will be using \$257,000 of Jobs Ontario Training money to support 26 jobs in long-distance transport. We know how important it is to have a good transportation sector in our province. I'm pleased to say I was at Kriska Transportation in Prescott to take part in the announcement and to get it started on this ambitious program.

In the few moments I have, I'd like to mention Metalcraft Marine Inc in Kingston, which is doing marvellous things in the boat-building field, reviving an industry that used to be thriving in Kingston. Now we're seeing its return, using the facilities in the Kingston area to produce a product that is valued not only in our community, but throughout the province and indeed throughout the country.

I was speaking with Bob Clark from Metalcraft Marine about the success of the Jobs Ontario plan. He has four workers under the plan. They are people who were either on social assistance or collecting unemployment insurance and who now have a future in this exciting field, one that we really have to develop.

1720

The other thing that Bob mentioned as being a strong feature of the program is that, as well as the money that's there to support the trainees, there's money available, up to \$5,000, to train someone who's already working so that they can expand their abilities in a field they're already in and enhance their capabilities and therefore make that firm even more productive.

I'd like to read for the House just what Bob Clark of Metalcraft Marine has to say about the Jobs Ontario Training program:

"It's a real asset. It allowed us to hire people we otherwise wouldn't have been able to hire. Everybody should be looking at Jobs Ontario, because it applies to every business. It's a good deal. The way it's structured even helps businesses learn about the training process."

I think that's a significant thing. It encourages business to look at the training process again, or perhaps for the first time. We know how important the training process is, to make sure that we keep training our workers to have the skills and the abilities they will need in this new economy.

Our government has recognized the need to adapt to changed circumstances. We have come up with a plan. It's working, and we're going to stick to it. The results of our efforts are showing throughout the province.

The Acting Speaker: Further debate? The honourable Minister of Trade and—

Hon Frances Lankin (Minister of Economic Development and Trade): Economic Development—

The Acting Speaker: —Economic Development.

Hon Ms Lankin: —jobs, economic renewal, all of those sorts of things, Mr Speaker, which is exactly what I want to talk about, and this provides me with an opportunity.

I have to say that I read the resolution which is before the House today. I'm not going to take time to go through it here—I don't want to waste valuable debate time—but it is full of rhetorical platitudes and not much beyond that. Actually, I'm not surprised, because many of the ideas in here I've seen before. They've come from the report of the Lyn McLeod Task Force on Jobs. It's very fashionable to have a book these days to hold up. Prime Minister Chrétien held up the red book all through the campaign. Now we have the Lyn McLeod book on jobs. I have to say this: The yellow stickers aren't part of the actual original product. I've added those, because that is the—

Interjections.

Hon Ms Lankin: Mr Speaker, I'm going to ask the members opposite to quiet down for a minute. I've only just begun.

The Acting Speaker: Yes, the honourable minister does have the floor.

Hon Ms Lankin: I might wind them up a little bit as we go on, but we are just at the beginning of this.

The yellow stickers are my notations here to help me come to the points in the document that I want to speak to.

The members opposite are talking and waving around the Agenda for People, which is a book. There's another book as well: Industrial Policy Framework for Ontario. This is the one I would like people to read. It's about two years old and it is the blueprint for what we're doing here in the province of Ontario, which is in fact turning around this province, which is contributing to economic renewal, to the creation of jobs and to creating a new framework for the future: an investment in jobs now, an investment in jobs in the future.

Let me come back to this document, the task force on jobs, the Liberal document. I have to tell you, it is a very, very shallow document in my estimation, and I don't use those kinds of criticisms lightly. Having looked through this and having looked at a document like this, produced by a party that was in government, they should have the discipline of having learned from the experience in government, I say to the member opposite, given the discussion we had earlier today. As I read this, I see this being the sort of partisan and empty platitudes that often come from opposition parties that haven't learned from their experience in government, and I think that's a shame.

I'm going to be specific. I want to go through this document, as I think people deserve to know what is being said by the various political parties and what is happening in Ontario, what's actually being done.

So I look to the summary of recommendations and I'll start there. First of all, in this document the Liberal Party proposes changes with respect to taxes. They say, "There is no doubt that economic growth in Ontario is being hampered by taxes." They're recommending "that we set a goal of actual tax reduction," and they set out specific amounts, a bit less than what the Tories are suggesting, but that it be done over a five-year period.

I challenge the credibility of this statement coming

from the Liberal Party. I do recall, during the period of time they were in office, 33 tax increases. I point out that we are not talking about a period of time in which there was a recession, in which there were incredible forces at work in the economy of restructuring which were bringing down government revenues and that you had to save up those revenues in order to maintain essential services in the public. We were talking about the boom times of the 1980s. We were talking about an economy that was growing. Good Keynesian economics would suggest that that's the time in which you plan for the future. That's the time in which you plan your expenditures and you understand that maybe these new revenues coming in you could put away.

But what happened? We had excessive increases in expenditures through that whole period, and in order to continue paying for them we had more and more taxes heaped on us, so we came into a recession at the end of the decade, the worst recession we've experienced in this province since the Great Depression, with huge, built-in increases and expenditures that we had to deal with and had already a tax burden on the people of the province of Ontario which was nearly unsustainable at that point. We had to deal with that during the period of the recession.

I'm interested in seeing a recommendation that taxes be reduced, but again there aren't any specifics here. It doesn't say which taxes. Perhaps—oh, I was going to say the commercial concentration tax, that hated tax in downtown Metro Toronto that the Liberals put in, but we already removed that. It was this government that did that. I was going to say the tire tax of the Liberals, but we already removed that.

What taxes are they talking about? Perhaps it's the employer health tax. Sorry, our budget just put in place an incentive for new hirings in this province, where employers who hire people for the first 12 months won't have to pay the employer health tax. It's a real incentive tied to job creation, tied to new jobs. It's not just a giveaway to the corporate sector. It's tied to jobs—very, very specific.

There are no specifics here in terms of what they're doing, and I've set out some of the taxes we've reduced. Neither is there any comment at all about tax fairness. Yes, we have increased taxes during the time we've been in office, during a very difficult recession, when we've lost revenues due to the job losses in this province and we've had to find a way to keep bringing the deficit down and maintain essential social services. We have increased taxes, but how have we increased taxes? We have increased tax at the very high-income end. That's where you see the new tax burden. In fact, we have taken more low-income people off the tax rolls than ever before in Ontario. There's a measure of tax fairness in the taxation we've brought in in this province, something we have not seen under either of the two previous governments.

Let me move on to another recommendation. I love the words here. They're going to do a dramatic reduction in the burden of regulation and paperwork. They believe we should set a goal of 50% reduction in the cost. It's a laudable goal. How are you going to do it? I read on.

Oops, it's not here. There is no how in this document. It says, "At the risk of sounding simplistic, we believe this solution is possible." Well, that is pretty simplistic.

What is this government doing? We have initiated a project called Clearing the Path. We've put in place the advisory committee, we've got its report, and we've acted on it. It was announced in the budget two weeks ago that by this fall we will have moved to offices across this province that will be able to deliver service to new businesses.

This will be very important to small businesses. They will be able to come in and do all business registration, all permits, fees, licences etc, by the time this is fully operational, at one stop through technology. Business won't have to go to 17 different ministries to get licences and fees and permits etc to operate in this province. We will have a master registration system and one stop will do it all for them. That's value to small business. It allows them more time to do what they do best, which is creating business opportunities and creating employment.

That's only half of Clearing the Path. The other half is unified reporting. Again it's going to be most important for small business. It's a tremendous burden when they have to, at different times of the year, with different frequency, file various taxes and payments to government agencies. Whether it be workers' compensation premiums, the employer health tax or the corporate income tax, we will by next year have moved to a system which unifies the reporting on that and makes it very simple. In the future, I hope that will be supported by electronic commerce interchange in which people will be able, by technology, to interact with government and transfer funds and eliminate the paper altogether. Again, no specifics in the Liberal document. That's the record. That's what we've done. We've already accomplished that.

1730

Let me take a look at the next recommendation. This is quite popular these days and everyone talks about it: "Redesigning the Machinery of Government." They've decided they truly have a 1960s type of government apparatus that's trying to deal with 1990s problems, so for the next century they're going to redesign. A Liberal government must redesign government. How do they do that? I read the document and, oops, it's not there. We don't know what they're going to do.

What are we doing in government in terms of government operating in a different way? Let's take a look at sector partnerships, sector development. This is a very different approach on the part of the government. Instead of picking winners and losers in the economy, instead of throwing money at individual firms without any kind of screen in terms of how we're operating and what the competitive fundamentals are and what we're supporting, we have moved to a sector development approach.

We are bringing people around the table in sectors of this economy who normally only operate with respect to each other in a competitive way. Business, labour, government are sitting there within those sectors and together they are doing the very important analysis that's required to understand the nature of the problems facing

their sector: What are their strengths? What are their weaknesses? What are the opportunities and what are the threats? That's the traditional SWAT, strengths, weaknesses, alternatives, tactics, that's done in a business analysis—but not applied to a business; now applied to the whole sector. What they're coming up with are workable, practical, doable strategies that will help increase the competitiveness of the sector altogether.

These initiatives are rolling out daily. We've already launched the telecommunications sector strategy with the support of that industry. We were out a couple of weeks ago with aerospace. Just today, I was with the industry groups launching the computing sector strategy. Last week, I was with the Minister of Health and the Premier and we launched the health industry strategy. Tomorrow I will be doing something very similar with another sector of our economy.

The idea of working for jobs for the future is to work with sectors of the economy to help them improve their competitiveness. That will help strengthen the individual firms in that sector and, overall, help strengthen the economy of the province. That's the how, in terms of government operating a little bit differently.

We also have the Ontario innovation and productivity service, where we're turning government civil servants, public service workers, into client account managers, working with small, innovative growth firms, helping them take that next step, helping them get the marketing expertise they require, the management expertise or the technical expertise, helping them take that next step to grow from that small or medium-sized enterprise into the medium-sized or large enterprise.

We've been dealing with issues like establishment of the lead investment fund: banks and government putting their money together to create venture capital pools. On and on and on I can give you examples of how we are redesigning how government works and how we are trying to deliver services.

Those may not be the ideas that the Liberals have with respect to redesigning government, but the problem is that I don't know. I don't think they know either, because it's not here, not in their document.

Let me go on. Let me find another recommendation. I'll try this one. "We need to see fundamental change in access to financing. A major problem for job creation in Ontario is the lack of timely and appropriate financing for growth businesses." That's true. We actually agree with that. We think access to capital is a problem, so there's no disagreement here. Because this is an area of my portfolio, I very eagerly read on, because I want to see if there are some good ideas. We could cooperate with the opposition and perhaps we could do it.

Let me find the idea here. There actually is an idea. Here's what they're going to do: They're going to challenge the banks to improve their service. The next day, I don't know what they're going to do. I can tell you small business won't have any better access to capital than they do today after the Liberal government is in power.

There are some things we can do, and in fact this

government has. Let me talk about what we've done. We've established the Ontario lead investment fund. We've brought banks together with the government and have established a pool of venture capital. Under that, there will be the establishment of expert investment corporations, where for the first time we will help the banking industry develop the expertise to invest in the new areas of the new economy.

One of the problems that we have out there is that some of the new knowledge-based industries have problems accessing capital because the banks are used to lending against assets that they can secure: equipment, bricks and mortar. It's very difficult for them to determine how to take that next step and understand how to finance knowledge-based industries. We've set up a structure. We've brought the people together to do that and there's a pool of capital there. That's action; it's not platitudes and it's not words.

We've also made major changes in legislation affecting provincially regulated financial institutions. It's a small part of the sector and a small part of the problem, but it shows leadership on the part of the provincial government that's affecting credit unions, co-ops, trusts and loans, helping them become more competitive and move into commercial lending.

We've also suggested in there where we'll work with those provincially regulated institutions to collect the data, to set up a system of accountability in terms of their loans and the sectors they're dealing with in which we'll be able to analyse and talk about what's actually happening there instead of all of these stories coming forward.

We expect to approach the federal government and the federally regulated banks to work with us on this, but we will set the leadership model by working with provincially regulated institutions.

I could move on and I could look at this. Here's a good one. You know how they said they wanted to redesign government and do things differently and not in the way of the 1960s? However, they want to renew their commitment to effective global trading by doing what? Reopening the international offices that we've just finished closing. Monte Kwinter lives, and he's very effective over in the Liberal caucus. I see him right here in this recommendation.

We've got letters of support from the Canadian Exporters' Association, the Canadian Manufacturers' Association, the chambers, others who think that what we did was the right thing. We have to do business differently. We don't want duplication of federal embassies. We don't want people out there on the diplomatic circuit. We want to use business networks, consultation networks, the banks, our bond rating agencies, all of those to seize commercial opportunities and respond to them. That's the way to go, not to reopen the international offices. That's the way of the past. That's the way of the government of the 1960s.

Here's another one: They're going to improve the use of government procurement policy as a way to extend technical knowledge for a range of small and medium-sized businesses. I found this one interesting because I'm involved right now in a major set of negotiations around

bringing down interprovincial trade barriers. This is very important because we hear this is the biggest criticism from businesses out there, and the biggest area of cost to the economy that they identify are government procurement policies that differ from region to region.

Veiled in this document are suggestions that we're going to do preferential buying policies in Ontario to Ontario firms, which are erecting trade barriers, not bringing them down. So I ask the opposition where its commitment is to its federal colleagues who sit at the table with me and who seem to be supportive of Ontario as opposed to bringing down interprovincial trade barriers.

The last recommendation: This is a good one. This is innovative; this is new. I've never heard of a government doing this before. What is it? It is improving our infrastructure: roads, sewers, schools, hospitals.

There has not been a government in the province of Ontario who has done as much for investing in infrastructure as this government. Let me talk to you about it. This government has invested in jobs, and it's been our top priority since the beginning. There are 300,000 jobs that have been created since 1990, 116,000 jobs in the last year alone. We are continuing to invest in the infrastructure. In fact, we have the most aggressive, ambitious program of any jurisdiction in North America, and what do we have across the floor? A platitude that they're going to invest in the infrastructure.

We're creating jobs now, through direct infrastructure investment through Jobs Ontario Capital. We're investing in our human infrastructure through Jobs Ontario Training: 44,000 jobs so far. This is a program the Liberals would do away with. Those people are people who would've come through this recession with perhaps little hope of finding their way back into the workforce after having been unemployed for so long or on social assistance for so long. We have created opportunities and matched people with those opportunities to get them off the social assistance rolls and to help them re-enter the workforce as the economy grows. That's what the Liberals would do away with.

We're creating jobs with communities. In times when you hear all of the rhetoric about globalizing economy, which is true, surely we should be working at the provincial level to empower communities, and we're doing that through community economic development. This document has platitudes about economic development. We have community loan funds operating, community share funds being set up, we have Jobs Ontario Community Action. This is a government with a commitment to these issues and an action plan to look at it, not platitudes like the Liberal document.

1740

We're creating jobs with companies through strategic investment. We can look at Ford in Oakville or Chrysler in Windsor or Bombardier in Thunder Bay. We're also creating jobs for the future with sector development, and I talked about the framework of ensuring that we have competitive sectors of our economy for a competitive economy for the future. It's working in partnership, trying to put people back to work in this province.

I'm not the only one who's critical of the Liberals. I can look to what some of the people out there, the media, have said. This is a very interesting editorial:

"Ontario Liberal Platitudes," it's headed, "The Road to Nowhere."

"The Liberal Party of Ontario has set out its direction for the next election. There's a slight problem with the Liberal election road map, however: It doesn't seem to contain any concrete policies." I agree with that.

They go through and they outline a number of things here.

"Outlined in a recent speech by the leader of the official opposition, it was a middle road paved with clichés and meaningless political feel-good statements. In its desire to govern, the Liberal Party seems to have forgotten that it might be helpful to the poor voters of Ontario if it had produced a policy or two, just one or two."

This is a critical editorial which sets out much better than I can criticisms about the sorts of words and platitudes. This is right out of the document. Let me quote. The Liberals say, "But we also need to have effective leadership, to set the right directions, to make the tough choices, to implement the changes that are needed." What changes are needed they haven't figured out yet, but they'll have tough leadership and they'll implement them when they find it out.

As this wraps up, it says, "If the Liberals continue to deal in platitudes rather than policies, they may find themselves on the road to nowhere." I hope that's an accurate prediction.

This is a party across the floor that says it is committed to building Ontario. I'd like to show you, that they have tools for building as well. See, this says, "Building a Better Ontario."

You might wonder what this tool of construction, this hammer, is. It's actually from the Liberal Party. You might be able to see that. I said that the document and all of its recommendations was flimsy in terms of rebuilding the economy of Ontario. May I say that the tools the Liberals offer are very, very flimsy as well.

I hope I've set out in very short order the commitment we have to jobs in this province, the actions we have taken, concrete, specific, the kinds of details that people can actually judge, as opposed to feel-good, warm, fuzzy Liberalism. Warm, fuzzy Liberalism has never given anyone a job, it's never put food on the table, it's never helped people who are in need. Our policies are putting Ontario back to work and that's what we will continue to do.

Mr Gerry Phillips (Scarborough-Agincourt): I appreciate the opportunity to debate the motion and, for those who may be viewing this, we're talking about the issue of jobs.

I would say to the member who just spoke that we've now had four budgets from Bob Rae. Every single budget promised that jobs would be the number one priority. The Minister of Economic Development and Trade who just spoke has to understand that the people of Ontario understand that we have a record number of people out

of work in this province. For four straight budgets you've talked about improving the job situation for people, and it is getting worse. The people who just heard you speak, Minister—essentially you're saying: "Everything's just fine; don't worry about things. Everything's just fine." Record numbers of people out of work in this province—and the minister's leaving. You may not want to hear this. The minister is leaving. A record number of people out of work in this province.

The second thing I would say—

Mr Jim Wiseman (Durham West): On a point of order, Mr Speaker: I thought it was unparliamentary to point out whether a member is in the House or not, and since the Liberals don't want to ascribe to these parliamentary—they weren't here all afternoon.

The Acting Speaker: Order. It's not a point of order.

Hon Ms Lankin: On a point of order, Mr Speaker: I would point out that taking materials to my staff is not leaving the House. I would appreciate that the member opposite, given that he hasn't been here all afternoon either, keeps to his speech.

The Acting Speaker: Thank you. The member for Scarborough-Agincourt has the floor.

Mr Phillips: We have had four budgets from Bob Rae, each promising jobs, and the people of this province I think understand that we have a record number of people—

Mr Drummond White (Durham Centre): On a point of order, Mr Speaker: During this debate, I'm wondering what happened to the Leader of the Opposition, whose motion this is.

The Acting Speaker: That's not a point of order. The member for Scarborough-Agincourt.

Mr Phillips: As you look in the budget, I think most people in the province will appreciate that the government's own document, the budget that was just produced a few weeks ago, indicates that we actually are going to see fewer jobs created in the province of Ontario in 1994 than we did in 1993.

Something's wrong here. The minister just got up and said, "Everything's fine"—fewer jobs created in the province of Ontario in 1994 than in 1993. I am surprised the young people of this province are not marching on this place, to be honest with you.

Laughter.

Mr Phillips: The members may choose to laugh at that. I am surprised the young people are not marching on this place. It is fair to say that the unemployment rate among our young people in this province is reported at 20%. In reality it is much, much closer to 30%. There have been literally tens of thousands of young people who have simply completely dropped out, and we wonder why our young people are in many respects so disillusioned.

The minister says: "Everything's just fine. We're doing all these things"—30% unemployment among our young people and it's not getting any better. You wonder why, when we have a debate here looking for solutions and the people of Ontario hear from the government, "Every-

thing's just fine; we're doing a great job"—everything is not just fine, and if we don't realize that quickly, we are going to lose a whole generation. A 30% unemployment rate is unacceptable. I have said this many times. I don't know why the backbench members of the NDP are not daily on their feet, demanding action.

The reason I am dwelling on the numbers and the unemployment rate is because the minister essentially said, "Everything's just fine." It's not fine. As a matter of fact, I just happened to be looking at the numbers in January to April. We now are, as I think we all realize, a third of the way through 1994, and what is happening for our construction workers? Record numbers of them are out of work. We actually see, for our construction workers, 14,000 fewer working in January, February, March and April 1994 than the same period in 1993.

Again, although the government says, "Everything is fine," my friends in the construction trade, including my son-in-law, will find substantially fewer jobs in the first four months of 1994 than the same period in 1993. This is happening in Ontario, and in the rest of the country we are seeing significant job growth. If you look at the same period of time when we have lost jobs in Ontario, we've seen growth in the rest of the country of 150,000 jobs.

I dwell on this because when we went across the province, talking to hundreds and hundreds of people—community leaders, people who are out of work, individuals who know this area—essentially what they said was that we have to collectively understand this is an emergency. We have to, in our opinion, declare it an emergency. The problem we have here is that as this is allowed to drift—and the minister's statement is a classic of, "Everything is just fine; we're doing everything just fine; why doesn't the opposition simply be quiet and let us handle it?"—the reason people are getting angry out there is that things are not fine.

It is indeed time to declare an emergency. I guess the first conclusion the task force reached is that indeed this is a major problem, that the government is essentially saying: "Don't worry about it, because it's going to be handled. We've got all the plans. Don't worry about it." We don't agree.

What you've got here is the blueprint for our plan. I think people who have read it will understand this is the vision. Be careful in how you interpret the plan, because we say here very clearly:

"We believe that this plan provides the key direction that will be required for success. While we are convinced that we have the correct fundamental thrust, much more work still needs to be done to take the fundamental direction and put the detailed implementation plan together. We view that as a key next step and look forward to seeking the advice of Ontarians in developing the best possible solutions."

1750

To the people out there I would say, listen, we'll welcome specific ideas to ensure that the details of the plan completely meet the needs of the province. But the fundamental thrust of this is that we believe this province needs a vision. The vision we have for this province is

that we are convinced Ontario can be the leading economy in North America. My colleague from York Centre I think said it well; that is, that this document has a sense of optimism and a sense of trust in the future for Ontario. We are convinced that if we implement this plan, Ontario indeed can be the leading economy in North America. We need to have that sense of optimism and that sense of confidence about Ontario.

Frankly, as we went around the province—I hate to say this, but I suspect the NDP members themselves have found out—there is a strong lack of confidence in the ability of the NDP government to lead us in that direction. I don't think there's any question of that. People in Ontario want to have the leading economy in North America, people in Ontario want to have a bright future, but frankly there is very little confidence in the ability of the NDP government to lead us there.

The fundamental thrust of this document is to say, "Listen, we have a sense of confidence and optimism about the future of Ontario and we are convinced that we can make this the leading economy in North America."

Then we say what are some of the goals of that. One of the key goals of that is indeed that we have to find a way to get our unemployment rate down substantially.

We suggest in this document that if we implement this plan, we believe the Ontario economy can grow roughly about half a per cent faster than planned. We believe if that were to happen, we can see 30,000 more jobs a year created. If we see 30,000 more jobs a year created, in five years the unemployment rate indeed will be down to approximately 6% and we will have achieved one of our major goals.

The plan goes on to outline the five major thrust areas. It talks about number one being "Charting a Bold New Course." This is where we need in this province to get a sense of commitment about the future and a sense of commitment by the people of this province to indeed reducing our unemployment rate to 6%. We propose in this document engaging some of our community leaders in what we call the Getting Ontario Working Again team. We think they, along with our leadership, can ensure that we get a commitment to 6% unemployment.

The second thing we talk about is "Letting the Economy Breathe," and we talk about a 5% tax reduction over five years. Frankly, I think that's a responsible position. As time unfolds, we will see the Conservative Party's plan where they talk about a different tax plan, one that we think will be very difficult for them to implement. They talk about a 30% reduction in personal income tax. That costs about \$5 billion, roughly a little more than 12% of the revenue in Ontario. We think that's not achievable if we still are to get the fiscal house in order.

Our plan calls for a reduction of 5% in taxation over five years. We think that is a responsible position. We think it's achievable. We think it is a clear signal to the people of this province that they can look forward to a systematic reduction in taxation, 1% a year. Within that, we have some proposals on how we would ensure that we are able to also balance the budget in the first term of a new Liberal government. That's the second part of "Letting the Economy Breathe."

There is a need for us to attack vigorously what the business community would say is the regulatory and paperwork burden. We are convinced, having talked with the business community, that it is possible to look at a 50% reduction in the regulatory burden.

The third element of the plan is the issue of reinventing government, and we do say in our document that we are trying to deal with a 1990s economy with a 1960s-type apparatus. I don't think there's much doubt about that. Government looks like what it is, that is, institutions that have grown up over a century, literally. But there is the need for a fundamental redesign of government. Perhaps all parties agree to that. We heard that loud and clear, and certainly we're in agreement with that.

The fourth area is that there is no doubt that we need to focus on the skills and the talents of the people of Ontario. We talk in this document about making Ontario the home of the best workforce in North America. We think that's a key element to ensuring that the Ontario economy is indeed the leading economy in North America.

The fifth area in our document is having the tools for the future, and we talk about the need to, as we say, challenge the banks. One could say bash the banks, but we say challenge the banks. I don't think there's much doubt that the banks have not served our small and medium-sized businesses well, and there's a need for some substantial change there.

There is a plan. It is a vision the Liberal Party has, an optimistic view of the future of Ontario. If we can engage the people of this province in this plan, we are convinced we can have the top economy in North America. Unfortunately, as I said earlier, I don't think the people of Ontario have the necessary confidence in the NDP to follow its lead.

I will talk very briefly about the Conservative plan, because it's now becoming clear, as we look ahead, where the three parties will be staking out their ground for the next election. The Conservative plan is different from our plan. Frankly, a 5% reduction in taxation was our plan, which we thought was responsible.

There are questions we would ask about the Conservative plan. Is it possible to look at a 30% reduction in personal income tax—which is about \$5 billion, a huge part of the revenue of this province, about 12% of the revenue—is it possible to look to having right now a budget with about an \$8-billion deficit and cut revenue by \$5 billion, which gets you to about a \$13-billion number, and then cut spending by 20%? But be aware that when they say cut spending by 20%, they are excluding health, education, what's called the law-and-order side of things, public-debt interest and municipal affairs, so they are really looking at all the cuts occurring in about a third of the budget.

There's going to have to be some challenge on the numbers as we move ahead. You cut \$5 billion of revenue, you have an \$8-billion deficit, you are looking at cutting 20%, but only of a third of the budget, and 20% of a third of the budget is about \$3 billion. So there will be some challenges, I think.

The last thing I would say about the plan in terms of questions is that the final page of their document indicates that the Ontario economy is going to grow slower than the New Democrats had predicted. It will be, as we move ahead, interesting to look at the plan of a \$5-billion reduction in revenue, a 20% reduction in spending but only in a third of the budget, and an economy growing less than is predicted in the NDP budget.

I wanted to just touch on one last thing. I'm never one who brags about the Liberal fiscal record, but I don't mind comparing it to the Conservative record, I really don't. The reason I'm spending a little time on this is because in the earlier speeches the Conservative Party, the third party as we call it here, was talking about some of the financial things.

The Provincial Auditor had this to say about budgets. The Provincial Auditor, who is an independent individual, says, "Ontario has had only one surplus in the last 20 years," and this report was in 1991.

Mr Hans Daigeler (Nepean): Who said that?

Mr Phillips: The independent Provincial Auditor. In other words, the Conservatives ran 15 straight years of deficits—good years and bad years, good times and bad times—and never balanced the budget for 15 years. There was only one surplus in the last 20 years, the auditor said. That was the year ending March 31, 1990.

Then, of course, the Liberals promised another surplus the next year and ended up with the \$3-billion deficit, if you remember, which we've taken a lot of hits on. We went into the election promising a surplus and ended up with a \$3-billion deficit.

The auditor explains that. The auditor says it was reasonable to expect the second surplus, two surpluses in a row, but what happened? He explains the \$3 billion. He says, first, "The extent of the recession, which was obviously not foreseen at the time of the budget," meant revenues dropped by \$1.1 billion. Revenues dropped by \$1.1 billion because the recession wasn't foreseen when the budget was prepared.

Then he says that spending went up by roughly \$1 billion because of social assistance payments.

Then he cites the third reason there was a \$3-billion deficit. Remember, the revenues dropped by a billion dollars and spending on social assistance was up by about a billion dollars. The new government decided to write some things off, \$200 million of teachers' pension payments that weren't due. They weren't due that year, they were due the next year, but they said, "No, we'll write the \$200 million of teachers' pension off." They wrote all of SkyDome off, which was understandable—and now they've taken some revenue into it—and wrote off a UTDC loan.

In other words, the auditor explains in detail. As I say to all of my business friends, I realize you have difficulty in accepting what a politician says, but look at the Provincial Auditor, and the Provincial Auditor goes on to explain the reasons for the deficit being at \$3 billion in detail.

As we now wrap up this discussion, we in the Liberal Party believe the issue of employment is the number one

issue. We are convinced that the government is not solving the problem, in spite of the rhetoric. The government's own budget predicts that we actually are going to see more people unemployed in 1994 than we saw in 1993.

We have a plan that lays out our vision. We would welcome input from the public as we move forward to put the details around the plan, but there's no question that Ontario needs an optimistic vision of the future, and we happen to think we have that.

The Acting Speaker: Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members; a five-minute bell.

The division bells rang from 1804 to 1809.

The Acting Speaker: Would all members please take their seats. We are now voting on Mr Ramsay's opposition day motion number 2. All those in favour of the motion will rise one at a time to be identified by the clerk.

Ayes

Beer, Brown, Cleary, Conway, Crozier, Daigeler, Eddy, Elston, Fawcett, Grandmaitre, Kwinter, Mahoney, McClelland, McGuinty, Miclash, Morin, Offer, O'Neill (Ottawa-Rideau), Phillips (Scarborough-Agincourt), Poole, Ramsay, Ruprecht, Sorbara.

The Acting Speaker: All those opposed to the motion will please rise one at a time to be identified by the clerk.

Nays

Abel, Allen, Arnott, Bisson, Boyd, Carr, Carter, Charlton, Christopherson, Churley, Cooke, Cooper, Cousens, Dadamo, Duignan, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Hayes, Hodgson, Hope, Hugot, Jackson, Jamison, Johnson (Don Mills), Klopp, Kormos, Lankin, Lessard, Mackenzie, MacKinnon;

Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, Morrow, Murdock (Sudbury), O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rizzo, Runciman, Silipo, Sterling, Sutherland, Swarbrick, Tilson, Turnbull, Ward, Waters, Wessinger, White, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziembra.

The Acting Speaker: The ayes are 23; the nays are 68. I declare the motion lost.

Pursuant to standing order 34, the question that this House do now adjourn is deemed to have been made.

WASTE DISPOSAL

The Acting Speaker (Mr Noble Villeneuve): The member for Mississauga North has given notice of dissatisfaction with the answer to a question given yesterday by the Minister of Environment and Energy. The member for Mississauga North will have five minutes, at which time one of the parliamentary assistants for the minister will have five minutes in response.

Mr Steven Offer (Mississauga North): Yesterday I indicated my dissatisfaction with the Minister of Environment's response to my question. To recap, my question dealt with the issue of the transportation of waste, specifically from a municipality located within the greater Toronto area to an area outside of the GTA.

I asked the question of the Minister of Environment because of a report that was in a newspaper, the *Sault Star*, and written by Lynne Olver, which indicated that Sault Ste Marie MPP Tony Martin had indicated, "If an environmental assessment shows that a Kirkland Lake mine would be safe for garbage, the province shouldn't be turning valuable farm land outside Toronto to dumps."

That has been the position not only of my party for the last four years but of many community groups within the greater Toronto area. Many groups have indicated that if it is in the best interests of the environment that waste be transported from a municipality within the GTA, such as Toronto or Mississauga or Durham, to a point outside of the GTA—the example most often used is a mine in Kirkland Lake—then that is something which the government should support.

The minister, in response to the question, indicated, and I read from Hansard: "The member asked me if I would support an environmental assessment. That is not news; I've said that repeatedly. If a proponent wishes to proceed with an environmental assessment on the transportation of waste outside of the GTA, they are quite free to do so and to proceed." So the minister is giving out the position that his party supports a decision by the Environmental Assessment Board that waste can be transported from a municipality within the GTA to an area outside.

Indeed, the minister has gone on. A report, again in the *Sault Star*, of April 28 reads, and this is signed by the Minister of Environment:

"Contrary to what some critics suggest, the government has not firmly rejected the proposal to ship waste by rail from Toronto to the former Adams mine site outside Kirkland Lake. What the government has said all along is that any proponent wishing to develop the Adams mine site as a site for Toronto or any other area's garbage is free to apply for an environmental assessment."

My dissatisfaction with the response by the minister yesterday is found in here, because that is not the position of the government. The government will not permit the transportation of waste from an area inside the GTA to one outside. For the minister to write this in papers such as the *Sault Star* and to respond in Hansard is just playing fast and loose with the truth.

The government's position is clear: There cannot be any transportation of waste from an area such as Toronto or Mississauga to an area such as Kirkland Lake, notwithstanding what any Environmental Assessment Board states. That is found in Bill 143, the government's own piece of legislation, because Bill 143, the piece of legislation which has been criticized by communities not only within the GTA but throughout the province, which has been the manifestation of the wrongheadedness of this government in environmental matters, clearly states that one landfill disposal site is to be located in the

regional municipality of York or Metro Toronto, one is to be located in Durham and one is to be located in Peel. The transportation of waste from these areas to an area outside the GTA is clearly not permitted by the minister's own legislation. That is the basis for my dissatisfaction.

I would rather the Minister of Environment stand up and be clear that their policy is wrong and that they are ready to change it, that they are ready to listen to the communities' views throughout this province. But no, the Minister of Environment has been playing fast and loose with the truth. This letter and this position and his response clearly underline the wrongheadedness of their position.

The Acting Speaker: The member for Sarnia and parliamentary assistant to the Minister of Environment will now go to five minutes in response.

Mr Bob Huget (Sarnia): Today the Minister of Environment and Energy is in Quebec City attending a conference of federal and provincial ministers responsible for native affairs. So he has asked me, as his parliamentary assistant, to appear here this evening to respond on his behalf to the member for Mississauga North, who is also the Liberal Party critic on environmental matters.

Our government established the Interim Waste Authority in 1991 to conduct an environmentally sound and consultative process to find waste disposal sites for the greater Toronto area. We believed then, and continue to believe, that the only way individuals, companies and all levels of government will act to reduce waste, to reuse and to recycle is if we are in the position of dealing with our own waste. We can't just ship it somewhere else and pretend it doesn't exist. Ontario's environment cannot afford the out-of-sight, out-of-mind philosophy that some others encourage.

We also believed, and continue to believe, that a process to site a landfill should include as many people as possible. It should listen to communities, elected representatives and individuals about their views on a site and should accommodate itself to those views. The Interim Waste Authority was set up to do just that and it has done so on an unprecedented scale.

Listening and consulting, however, do not mean changing course entirely or losing sight of the goal of an environmentally sound landfill site close to where the waste is produced.

We also believe and continue to believe that even the most thorough site search needs to undergo the Environmental Assessment Act. Experts should and will be challenged, and those who could be affected by a site must be allowed to put their case forward to an independent board to decide.

The previous government, the Peterson government, found landfill sites in a different, perhaps more politically expedient, manner. The site at Whitevale, for example, was decided; simply decided. There was no process for the determination of that site. There would have been no environmental assessment hearings; there would have been no thorough examination of the environmental consequences of that site, no examination at all of any kind of alternative, whether that alternative could have

been Kirkland Lake, incineration, or the only alternative we think is viable: another possible landfill site.

When our government decided that that kind of non-process was inadequate, we also decided not to leave regional and local governments holding the bag. We decided to conduct a search according to the environmental and consultative principles we believe in. That was a decision that took courage, and that was and is the right decision.

Our view of Kirkland Lake—and my colleague the Minister of Environment and Energy has said it many times—is that the proponents are free to undergo an environmental assessment. We will not stop them from doing so if that's what it is they proceed to do. But there is no good reason why this government, having set up an environmental consultative process that it has faith in,

should fund the assessment of a site that it feels is fundamentally at odds with our policy of supporting the 3Rs.

But if the proponents do undergo their own review and submit it to the environmental assessment process, the Environmental Assessment Board would have to take government policy into account. The board could and would, however, make its own views known and make a decision based on those views. As to how the government would or could react to those views, surely the members on all sides of this House recognize the ridiculous nature of that kind of speculation.

The Acting Speaker: It being well past 6 of the clock, this House stands adjourned until tomorrow, Wednesday, May 18, at 1:30 pm.

The House adjourned at 1823.

CONTENTS

Tuesday 17 May 1994

MEMBERS' STATEMENTS

Highway construction	
Mr Daigeler	6345
Harris Lodge 216	
Mr Tilson	6345
Property assessment	
Mr Perruzza	6345
Public safety	
Mr Chiarelli	6345
School breakfast program	
Mrs Cunningham	6346
Small business	
Mr Marchese	6346
Leader of the third party	
Mr Mahoney	6346
Progressive Conservative Party plan	
Mr Arnott	6346
Waste reduction	
Mr Sutherland	6347

ORAL QUESTIONS

Assisted housing	
Mrs McLeod	6347
Ms Gigantes	6348
Purchase of land	
Mrs McLeod	6348
Ms Lankin	6348
Young offenders	
Mr Harnick	6350
Mrs Boyd	6350
Health insurance	
Mr Runciman	6351
Mrs Grier	6351
Political staff	
Mr Conway	6352
Ms Swarbrick	6352, 6353
Mr Arnott	6353

Transportation for the disabled

Mr White	6353
Mr Pouliot	6353

Community college governance

Mrs McLeod	6353
Mr Cooke	6354

Forest management

Mr Hodgson	6354
Mr Hampton	6355

Substitute decision-making

Mrs Mathysen	6355
Mrs Boyd	6355

PETITIONS

Kettle Island bridge	
Mr Morin	6356
Tobacco packaging	
Mr O'Connor	6356
Mr Marchese	6357
Mr Perruzza	6358
Mr White	6358
Health legislation	
Mrs Sullivan	6356
Sexual orientation	
Mr Cousens	6356
Mr Cleary	6357
Mr Cooper	6357
Ms Poole	6357
Education financing	
Mr Conway	6358

FIRST READINGS

Namdhari Sangat Canada (Society)	
<i>Ont. Act, 1994, Bill Pr101,</i>	
<i>Mr Marchese</i>	
Mr Marchese	6358
Agreed to	6358

OPPOSITION DAY

Unemployment, opposition day motion	
number 2, <i>Mrs McLeod</i>	
Mr Ramsay	6359
Mr David Johnson	6361
Mr Hope	6364
Mr Miclash	6366
Mr Arnott	6367
Mr Sutherland	6369
Mr Cousens	6370
Miss Martel	6373
Mr Sorbara	6374
Mr Gary Wilson	6376
Ms Lankin	6377
Mr Phillips	6380
Negated	6383

ADJOURNMENT DEBATE

Waste disposal	6383
Mr Offer	6384
Mr Hugot	6384

OTHER BUSINESS

Visitors	
The Speaker	6347
Mrs Marland	6347
Attendance of ministers	
Mr Elston	6347
The Speaker	6347
Written questions	
Mrs Sullivan	6359



No. 132

N° 132

ISSN 1180-2987

Legislative Assembly of Ontario

Third Session, 35th Parliament

Assemblée législative de l'Ontario

Troisième session, 35^e législature

Official Report of Debates (Hansard)

Wednesday 18 May 1994

Journal des débats (Hansard)

Mercredi 18 mai 1994

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



50th anniversary

1944–1994

50^e anniversaire

Hansard is 50

Hansard reporting of complete sessions of the Legislative Assembly of Ontario began on 23 February 1944 with the 21st Parliament. A commemorative display may be viewed on the main floor of the Legislative Building.

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats a 50 ans

Le reportage des sessions intégrales de l'Assemblée législative de l'Ontario, fait par le Journal des débats, a commencé le 23 février 1944 avec la 21^e législature. Une exposition pour marquer cet événement est étalée au premier étage de l'Édifice du Parlement.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 18 May 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 18 mai 1994

The House met at 1332.
Prayers.

MEMBERS' STATEMENTS RURAL ONTARIO

Mr John C. Cleary (Cornwall): When Finance Minister Laughren presented the budget on May 5, I was concerned that he did not mention words central to our provincial economy such as "farming," "agriculture" and "rural Ontario." Instead we heard references to subways, highways and urban centres. A closer inspection of the budget reveals that not only was the Finance minister unwilling to mention the agri-industry, he actually abandoned rural Ontario.

The NDP is cutting the budget for farmers by \$34 million this year. Somehow, in spite of the NDP's proposal of restraint, it was able to find \$17 million more to spend on the civil servants at Management Board. It is incredible that the Minister of Agriculture, Food and Rural Affairs can justify cutting assistance to farmers by \$34 million while increasing spending on administration by \$17 million.

YOUNG OFFENDERS

Mrs Margaret Marland (Mississauga South): Residents of Mississauga South are reeling in shock after a local man, Brian Baylen, was viciously murdered while out for an evening stroll in a neighbourhood we all thought was safe. A 15-year-old female and a 16-year-old male have been charged with murder.

Like my constituents, I am appalled and furious. I grieve for Brian Baylen and his family. It could have been my friend or relative who was stabbed to death on my street.

I believe we are all responsible for Mr Baylen's death. We have watched in apathy as our society becomes increasingly violent. We have allowed our children to grow up with violence as the norm in television and film entertainment. Children are desensitized to violence at a very young age. Is it any wonder then if some youths commit violent crimes, senseless killing of innocent victims?

Another serious problem is the federal Young Offenders Act, passed by the Trudeau Liberals a decade ago. These two young people who face murder charges in Mr Baylen's death, if tried in youth court and found guilty, will be out of jail in just five years.

I am starting petitions calling on the federal government to toughen the Young Offenders Act and asking both the federal and provincial governments to take action against the portrayal of violence in the entertainment media.

Please sign these petitions and let your elected representatives know that as lawmakers they are not doing

enough to make our communities safe. These are young people whom we treat as adults until they commit crimes and then we treat them as children.

MISSING CHILDREN

Ms Margaret H. Harrington (Niagara Falls): May 25, next week, is National Missing Children's Day. The green ribbons that all MPPs are wearing today are to remind us of missing children everywhere. It is a symbol of hope for their safe return.

It is difficult to imagine the unspeakable grief that parents suffer when their child has gone missing. As legislators, we must be mindful of the work that needs to be done to make our society safer for these our most vulnerable citizens.

Children truly are our hope for the future. Just last week in fact the Premier's Council on Health, Wellbeing and Social Justice released this report which I have here—it's called Yours, Mine and Ours—on how best to serve Ontario children and youth.

I would like to take this opportunity today to acknowledge the work of Child Find in Ontario. Child Find is a non-profit organization which does the following: It assists in the location of missing children, increases public awareness of missing children, teaches prevention methods and gives general assistance and emotional support to affected parents. It operates a very important long-distance line, a 1-800 number.

Seated in the gallery today is Jackie Cutmore, executive director of Child Find, if she would stand. I want to welcome her to the Legislature and I want to commend her and her organization on the work that they do helping us get missing children back home. Thank you.

COMMUNITY RECREATION FUNDING

Mr Bruce Crozier (Essex South): The Minister for Economic Development and Trade has informed the town of LaSalle that its application for funding the Robert Carrick Memorial Athletic Complex under the Jobs Ontario Community Action program has been denied, this despite the fact that this complex would be constructed on publicly owned property, that it is a cooperative effort spearheaded by a committee of volunteers comprised of interested and proactive residents, that the complex would be designed for use by the physically and mentally challenged and would have been used to host the 1994 Ontario Games for the Physically Disabled and that the committee has followed the guidelines of various ministry officials.

The town of LaSalle advises me that other projects in the county have received funding and that in the committee's opinion this project, in its unique nature, was most worthy.

By way of this statement, I would ask that the minister

responsible reconsider the Jobs Ontario Community Action application from the town of LaSalle so the physically and mentally challenged, as well as the able members of the community, may get on with this worthwhile project.

1340

CONTROL OF SMOKING

Mr Robert W. Runciman (Leeds-Grenville): It's a sad day for Ontario politics when a very powerful interest group uses scare tactics, along with misleading information, to attack a member of Parliament for representing his constituents.

At a press conference today the Ontario Campaign for Action on Tobacco stated that by sticking up for some 450 manufacturing jobs in my area I am somehow posing a threat to the health of our children. Every point the coalition makes in a full-page ad it is running in my riding is inaccurate, every last point.

I have a strong and clear record as a long-time advocate of workable restrictions on smoking, and I am offended, as I suspect most Ontarians will be offended, by the tactics employed by this organization.

I care about fighting the battle to deter our youth from smoking. I care about people losing their jobs and their livelihoods when the government refuses to even listen to them and I care about fighting against special interests who use every weapon at their disposal, including scare tactics and misleading information, to try and intimidate elected officials. Their tactics don't deserve to work, and in this case they are not going to work.

TOURISM AWARENESS WEEK

Mr Gary Wilson (Kingston and The Islands): This week the Kingston area is celebrating an industry that's central to the life of our community: central because the industry links our area with its historic place in Ontario and in Canada; central also because it plays an important part in our economy, bringing in millions of dollars every year and creating some 65,000 jobs.

I rise today to recognize the greater Kingston area Tourism Awareness Week, a celebration of the work people living in the Kingston area have done to welcome the some one million visitors we see every year. The event is sponsored by the Kingston Area Economic Development Commission, downtown Kingston and the Rotary Club of Kingston.

Kingston, a former garrison town and port, became the seat of the government of Upper Canada in the last century. This history and the fact that many of the beautiful limestone buildings from that time still grace area streets has afforded the Kingston area a special place in Ontario's tourism industry.

We have more museums than any community of comparable size in the province. We have a beautiful waterfront setting at the head of the Thousand Islands. We have plenty of first-class entertainment, some as old as the Folklore multicultural festival, celebrating its 25th year on June 10 to 12, and as new as the Kingston Summer Festival, set for its inauguration this summer.

As part of Tourism Awareness Week, there's a historic city cycle tour to promote our community's potential as

an excellent bike touring area. A bike ride to Kingston Mills will follow that event to acknowledge that this is also Bike to Work Week.

This year Tourism Awareness Week is marking the pivotal role such services as marinas, public transit, restaurants and gas stations play not only in serving our visitors but in heightening the awareness of area residents that tourism in the Kingston area brings in some \$273 million every year and creates more than 13% of our jobs. This is a reminder that, as the tourism week slogan goes, "Tourism Is Everyone's Business."

MISSING CHILDREN

Mr James J. Bradley (St Catharines): Today we wear green ribbons to show our support for the Green Ribbon of Hope Campaign, which runs from May 1 to May 31, 1994, and allows us to show our solidarity with the families of the thousands of children missing across the country. We especially wish to recognize that May 25, 1994, will be National Missing Children's Day, a day of tremendous importance to all of us.

Every time a child disappears not one person in the community, in the province or in the country is left unaffected. We all share a sense of fear, horror and sadness, especially on those tragic occasions when a missing child becomes a murdered child.

In 1993 almost 56,000 children were reported missing; only 50,000 of them have been recovered. On May 5, 1992, when the people of St Catharines said goodbye to Kristen French, I said on that occasion in this House that life seemed so unfair when a kind, gracious, innocent girl is taken from her family, her friends and her colleagues at school in broad daylight. These words apply to all missing and murdered children taken from their families.

Violence against women and children and the attitudes that breed them must be stopped. This issue must be addressed now and it must be addressed with commitment and determination. We owe it to the families of Kristen French and Leslie Mahaffy and to the thousands of missing children across Ontario and Canada.

Mr Cameron Jackson (Burlington South): I too would like to join all members of the House because May 1994 marks the third annual Green Ribbon of Hope Campaign by Child Find Canada, which seeks to increase public awareness about missing children everywhere and works to ensure their safe and speedy return to their families.

The campaign, which culminates on May 25, National Missing Children's Day, was developed soon after the tragic abduction-murder of 15-year-old Kristen French of St Catharines on April 16, 1992. Kristen's teachers and friends mobilized their community to search for her and chose as their symbol the green ribbon, which has now been extended to represent all missing children.

No community in this province is immune from the grave tragedy suffered by the families of victims such as Leslie Mahaffy, Nina de Villiers, Christopher Stephenson and many, many more. The green ribbon is also a call for government action to make community safety a priority and to enhance police investigations against violent sexual offenders. On behalf of my Burlington community,

countless legitimate pleas have been made to this government to reverse the trend towards the early release of and temporary passes for violent sex offenders.

The Green Ribbon Campaign also provides a sense of urgency for a victims' bill of rights for Ontario, like the one that was blocked by the Liberals in 1990 and then by the NDP government in 1992. This would give the right to families of crime victims to have automatic standing at coroners' inquests and to be closely involved in all stages of police investigations.

Today we join all families of child victims in calling on the NDP to move from the symbolism of the green ribbon to concerted action on their behalf to curb the tragic increases in premeditated murders of young women and children in Ontario.

PROGRESSIVE CONSERVATIVE PARTY PLAN

Mr Gordon Mills (Durham East): Guess what? I got a letter in my mailbox to join a revolution, the Harris revolution. Usually the people who join revolutions are the downtrodden who want to escape some yoke of oppression. These people are appealing for money, and it says here that I've got to send \$100 or more, \$50 or \$35, and I'm supposed to team up 10 more people to join this wretched revolution.

I want to tell you that I met over the weekend with the fine Liquor Control Board of Ontario workers who are in my riding. These people serve the community, they coach the hockey teams, they coach the baseball teams; they're there in the community when you want them. This revolution wants to put all those people out of work. They want to put the liquor component of the liquor into little stores like Miracle Food Mart and Loblaws, and they'll be on the corner. These people will be getting minimum wages and they've got mortgages like you and me and they've got children to send to university.

I'm telling that crowd over there, you won't have 10 people join your revolution. The liquor control people will get 100 people, every one of them, and you'll have the revolution, the mother of all revolutions on your hands that you'll wish you never had. Shame on the lot of you.

The Speaker (Hon David Warner): The member's time has expired.

Mr Mills: Shame on the lot of you.

STATEMENTS BY THE MINISTRY AND RESPONSES

LAND USE PLANNING

Hon Ed Philip (Minister of Municipal Affairs): Today I'm releasing legislation, policy statements and administrative changes that mark the beginning of this government's reform of the planning and development system in Ontario.

I'm proud to say the changes to the Planning Act and other amendments represent a major reform of the current land use process. I'm also pleased to tell members of the House that the provincial facilitator, Dale Martin, will head up a committee of municipal leaders, developers, builders and environmental groups that will work on the practical details of implementing our new system.

People in this province have lost faith in the planning

system. There are concerns about the integrity of the process, there are very accurate perceptions in the community that the system is inefficient, slow and very costly, and there is the fear that the planning system simply doesn't have the teeth to protect the environment.

These changes will cut red tape in the development process so jobs can be created. They will provide stronger environmental protection for natural features and agricultural land and they will give municipalities more authority and accountability.

1350

In the new system, the government will shift towards better consumer and customer service, with the Ministry of Municipal Affairs the lead, one-window ministry for land use planning.

The system will also favour cooperative resolution to disputes before they enter the system and create lengthy, costly delays that are in no one's best interests.

Municipalities will be given greater control of the development process. We believe planning and the development of Ontario cities, towns and rural areas can best be done by people living there. In this context, the provincial government will set broad policy direction, municipal governments will make development decisions and the Ontario Municipal Board will adjudicate disputes.

A set of provincial policy statements clearly stating the provincial expectations for planning is also being released today. Other changes are focused on promoting more open and accountable local governments, including improving procedures for conducting council business and disposing of property.

Mr Murray J. Elston (Bruce): Get on with the job.

Hon Mr Philip: The Liberals, who have no policy on anything, want to keep on interrupting me, but I'll continue.

Finally, the new planning system will set out clear rules for achieving a balance of environmental, economic and social interests. This means environmentally sound development proposals can proceed more quickly, creating jobs in the construction industry and other sectors.

Today's events are the culmination of more than three years' work by hundreds of extremely dedicated people. The work began in 1991 when the government appointed former Toronto mayor John Sewell to head up a commission on planning and development reform in Ontario. Last June, the commission delivered its final report to the government. We studied the report very carefully, and in December we released a preliminary outline of our reforms and a set of proposed policy statements for consultation. During that time, we heard from more than 600 people and groups from every area of the province. Many of their ideas have been incorporated in the final documents.

As with any issue this large and complex, it has been tough to please everybody on every detail, but I believe we have reached consensus on most of the important aspects of our proposed new planning system for Ontario.

I would like to acknowledge the tremendous amount of work done by John Sewell and his commission, as well

as by Dale Martin. My ministry staff have put in long hours and many weekends, as have the many hundreds of volunteers who have worked in some way in developing this set of proposals. My predecessor, the Honourable David Cooke, has also played a very significant role in the development of the policies and in promoting them in the caucus and cabinet. I want to thank all of these people.

I believe the people of Ontario will be better served by this new system, a system that is clearer, easier, more accountable and more accessible.

Mr Gregory S. Sorbara (York Centre): They will be better served by calling an election.

The Speaker (Hon David Warner): The member for York Centre, please come to order.

Mr Sorbara: Let's have it: the ultimate turnaround, the ultimate copout.

The Speaker: I ask the member for York Centre to please come to order.

WORKERS' COMPENSATION

Hon Bob Mackenzie (Minister of Labour): Last month, the Premier announced that this government would be making major changes to the workers' compensation system to help restore its financial health and to improve benefits to those injured workers most in need. At that time, the Premier outlined the package of immediate and long-term reforms, which had five key components. They were:

(1) a new bipartite structure for the WCB board of directors which will be more arm's-length from the government;

(2) a stronger emphasis on rehabilitating injured workers and getting them back to work safely and quickly;

(3) cost-saving measures which include changes to indexing and establishing government-directed financial targets;

(4) special indexing protection for the most vulnerable injured workers and an additional \$200 a month—

Interjection.

The Speaker (Hon David Warner): Order, the member for York Centre. Sorry, I must caution the member for York Centre that if he refuses to come to order, he will be named. There will be an opportunity for responses to the statements made by the ministers.

Hon Mr Mackenzie: To continue, special indexing protection for the most vulnerable injured workers and an additional \$200 a month on the pensions of many older injured workers; and

(5) the establishment of a royal commission to take a wide-ranging look at the workers' compensation system.

Today I am pleased to introduce for first reading in this Legislature the Workers' Compensation and Occupational Health and Safety Amendment Act, 1994. This is one of a number of immediate steps the government is taking to act on workers' compensation reform.

I am also pleased to announce today the appointment of Ken Copeland as interim vice-chair of administration for the Workers' Compensation Board. He will be

responsible for the day-to-day operations of the board and, with the board of directors, will help judge and implement workers' compensation reform.

I'd like to summarize for the House the major elements of the bill I'm introducing today.

First, we are introducing a purpose clause which will establish fair compensation, vocational rehabilitation and early return to work as the overriding goals of the Workers' Compensation Act.

We are also proposing amendments that will require the board of directors to act in a financially responsible manner, with a view to the best interests of the Workers' Compensation Board.

We are proposing a series of amendments to the act to enhance vocational rehabilitation services and improve early return to work. They include, for example, a proposal that physicians, with the worker's consent, release prescribed medical information that will help employers and their employees plan for safe and early return to work; a proposal that will clarify the role of the board in enforcing existing re-employment obligations; a proposal that will improve the board's incentive programs by measuring a broader and more meaningful range of workplace programs and practices; and an amendment that will establish a time-limited process for mediation and decision-making in matters that require resolution.

We are also proposing that the act be amended to formally introduce a bipartite structure so that both labour and business have an equal say in the governance of the WCB.

We are proposing amendments to the Workers' Compensation Act that would provide a \$200 increase to the permanent partial disability awards of workers injured prior to Bill 162 who are or become entitled to receive, or have been entitled to receive, subsection 147(4) supplements.

We are providing an amendment that would result in the adoption of what is known as the Friedland indexing formula, but with provisions that would ensure that the most vulnerable workers could continue to receive benefits fully indexed to the consumer price index. The Friedland formula indexes pensions to 75% of the CPI, less 1%, with a cap of 4% a year.

Certain groups will continue to receive fully indexed benefits. They are those people who receive survivor and dependant benefits, those receiving 100% pensions for injuries that occurred prior to 1990, those receiving 100% wage loss awards for injuries that occurred after 1989 and those receiving the \$200 increase I have just mentioned.

We believe the amendments to the Workers' Compensation Act that we are introducing today will help us achieve the three main objectives we have set for reform of the workers' compensation system. They are ensuring the future financial viability of the system, early return to work for injured workers, and protection for the most financially vulnerable injured workers.

It is clear that we can no longer afford to ignore either the serious plight of the many older injured workers who live in difficult circumstances or the financial crisis towards which the system has been heading. We cannot

afford to do so either in economic terms or in human terms.

This untenable situation has been brought to the province's attention a number of times over the last decade, but to date no government has been willing to take the necessary steps to address it. As the Premier's Labour-Management Advisory Committee on workers' compensation made very clear in its framework agreement, however, we must act now. The business and labour members of the committee accomplished a tremendous amount of work and laid the foundation for the package of reforms that this government announced last month. The amendments we are introducing today are an important step towards putting these reforms in place in this province.

1400

Mr Gregory S. Sorbara (York Centre): On a point of order, Mr Speaker: I'm just wondering if there is a standing order that requires opposition members who then become government members and Labour ministers to introduce policies that are at all consistent with—

The Speaker: The member does not have a point of order. Would the member please take his seat immediately.

LAND USE PLANNING

Mr Ron Eddy (Brant-Haldimand): We now have the minister's proposal for the Sewell commission report. We've been waiting for his response to the Sewell commission's \$2.2-million review of the Planning Act, which was not well received either by AMO or the municipalities across this province.

I have to point out that the minister says one thing and does another. He is promising to speed up the planning process, make it simpler and make it less costly.

Interjections.

The Speaker (Hon David Warner): Order. I apologize to the member for Brant-Haldimand. It would be helpful if members on both sides of the House would allow the member for Brant-Haldimand to respond to the minister's statement.

Mr Eddy: Mr Speaker, thank you. I listened politely to the minister, but they don't bother me. I don't listen to them.

This legislation will only make land use planning more complicated, more time-consuming and indeed much, much, much more expensive for the municipal governments in this province. He is going to force every municipality to go through a complicated process of redrafting its official plans. Every inch of land in every municipality will have to be reviewed to see if it meets provincial policy statements like:

"In decisions regarding development, every opportunity should be taken to: maintain the quality of air, land, water and biota; maintain biodiversity compatible with indigenous natural systems; and protect natural links and corridors."

Development may be permitted only if it does not negatively impact the features or the ecological functions for which the area is identified. Development will not be

permitted on adjacent lands if it negatively impacts on the ecological functions or the features listed above.

It sounds like a lot more studies, doesn't it, Mr Speaker? It's as clear as mud, as clear as Haldimand clay. How much is it going to cost every municipality to decipher these dictates? Who is going to pay for these reviews? I expect it's the municipal governments.

The minister says he wants to make the rules of the planning system clearer. The only rule he has made clear is that the province will be calling the shots and of course downloading tremendous provincial planning costs on to the backs of local municipalities.

The legislation will not let local communities decide local issues. The minister's plan says mandatory contents will be stipulated for all municipal and planning board official plans. It's going to be more complicated, time-delaying and very costly.

WORKERS' COMPENSATION

Mr Steven W. Mahoney (Mississauga West): To the Minister of Labour's announcement, this is just him announcing what the Premier already announced on April 14 and trying to wrap it up as being some new kind of great move on the part of the government. Unfortunately, Minister, you've done nothing and said nothing about service delivery to injured workers.

As the minister knows, I recently completed a three-month tour of the province and meetings with people on workers' compensation. If there's one thing I heard from injured workers and from business, from employers, it's that they are fed up with the lack of service delivery and accountability at the board.

Minister, I have released a report, which I sent to your office but apparently you didn't get, called *Back to the Future*, with some ideas on WCB reform. I'm going to have a page take that over to you. You might find some interesting late-night reading in there to give you some ideas.

You talk about making this accountable by setting up what you refer to as "a new bipartite structure for the Workers' Compensation Board." Fascinating. How is it new? It's half labour, half business. There are supposedly two citizen reps appointed, but guess who they're appointed by? They're appointed by labour and they're appointed by management. It's not new; it's just trying to recycle the same old problems.

There are more than just two stakeholders, Minister, I submit to you, involved in workers' compensation. The medical community has a huge stake. Injured workers themselves deserve a specific spot on the Workers' Compensation Board because they know at first hand what's happening.

You pretend, Minister, that you're not trying to fix this on the backs of injured workers. Who do you think is paying for the \$200 supplement? It's the injured workers you're making pay ultimately.

The real tragedy is that by tinkering with this, you are failing to recognize that there is a long-term requirement to fix this system today.

I would, however, having been somewhat negative about this announcement, congratulate you at least on the

appointment of Mr Ken Copeland. I understand from my colleagues that he is a competent individual and I wish him well.

Mrs Elizabeth Witmer (Waterloo North): These changes announced today will do nothing to restore the Workers' Compensation Board to financial health or address the urgent problems plaguing the system. It's simply a rehash of what we've heard before. Meanwhile, we have a system that is drowning in an undertow of fiscal mismanagement. This government has stumbled in the dark for four years and there is still no light at the end of the tunnel for injured workers, employees or employers. You have done too little too late for a system which the management caucus of the PLMAC declared to be technically bankrupt. You have an unfunded liability of \$11.5 billion. You have failed to respond to their demand that a financial responsibility framework be established.

This plan is fiscally irresponsible and it puts the future security of benefits for injured workers at grave risk, as well as all future jobs for people in this province. Instead of responding to the concerns, instead of responding to the mismanagement problems, you have deliberately proceeded to place your own political agenda ahead of the interests of the total workers' compensation system.

This province is still suffering today from the consequences of the Liberal Bill 208, which was never analysed and costed, and we still don't know the real financial impact. We do know it has given us the highest assessment rates in all of Canada.

You should have listened to the constructive proposals from the PLMAC management. I want you to know that they do not support this package. It is not the result of joint labour-management agreement, and this government should not be allowed to perpetuate the myth that it is. They feel betrayed by you and by the Premier. The original PLMAC agreement was to cut \$3.3 billion off the unfunded liability. What you have done is to cherry-pick off that agreement, and the result has been that you've given \$2.6 billion back to labour.

This is a cynical move that demonstrates that this government has no real commitment to cutting the cost of the system. You are not and never were concerned about the future viability of the system or the workers or the employers.

LAND USE PLANNING

Mr David Johnson (Don Mills): The Planning Act should provide tools to municipalities to create good planning in the province of Ontario; it should not dictate the end result of planning. Unfortunately, that's what this particular document does. It dictates the ends rather than providing the means to good planning in the province. That is apparent through the fact that municipalities will have to be consistent with the policies of this provincial government. Local autonomy should be permitted to provide good planning.

The environmental policy created in this document takes priority. Again there's no flexibility at the local level. There's a particular concern in rural Ontario with regard to wetlands, with regard to agricultural land.

There's a perception that this statement will close down development in rural areas of the province.

Downloading: Not only will new official plans have to be created, in some cases where there are no plans, but municipalities will be required to do more technical studies, get more information from more bureaucrats. Today that process is painfully slow; in the future, it will be even slower.

In rural Ontario there's considerable concern about the ability to sever land. In many cases there may have to be an environmental impact study, at great cost. Local land owners are being treated in the same fashion as major developers through this document.

There has been no cost-benefit analysis. Will this plan provide benefits to the environment? What are the additional costs to municipalities and to property owners in Ontario associated with this plan? The Ontario Chamber of Commerce is most concerned about the cost-benefit analysis.

Three of the existing policies in place today will remain in place, and the Association of Municipalities of Ontario has expressed particular concern that they may conflict with the new policies.

Finally, the Toronto Home Builders' Association has pointed out that there is a considerable amount of imprecise wording. Words such as "adverse impact," "every opportunity" and "wellbeing" are in this document. What do they mean? There'll be an endless number of challenges and more cost associated with that kind of wording.

1410

ORAL QUESTIONS PURCHASE OF LAND

Mr Sean G. Conway (Renfrew North): My first question today is for my favourite minister, fearless Frances, the Minister of Economic Development and Trade, who today will continue to answer for the out-of-town Minister of Environment and Energy. I want to take the Minister of Economic Development back to the Costa Rican rain forest.

Yesterday the taxpayers and the ratepayers of Ontario Hydro I dare say were pleased and I suspect proud to hear Ms Lankin say in this House, in response to a question concerning Ontario Hydro's investigation of taking a part of the Costa Rican rain forest, the following, and I quote her directly on that subject: "I find it astounding that we would be considering, particularly in these times, to spend ratepayers' moneys in that way." Minister, you couldn't have been clearer, and I dare say the people of Ontario agree with you.

At 1 o'clock today, the chairman of Ontario Hydro, Mr Maurice Strong, said that he's running Hydro and he's continuing to investigate that particular option and others.

I ask you, as a minister in the government, is Hydro's adventure in the Costa Rican rain forest dead? If it isn't dead, will you make it dead this day?

Hon Frances Lankin (Minister of Economic Development and Trade): I wonder if my favourite member opposite is also directly quoting Mr Strong. I didn't see him read that, and I'm unaware of exactly what Mr

Today, the Toronto Sun has disclosed details of Mr Strong's extensive business holdings in Costa Rica. These include a \$35-million hotel complex which, according to the Sun, was built illegally on native land. Minister, has anyone in your government raised this issue with Mr Strong, and if so, what can you report to the House on this matter?

Hon Floyd Laughren (Deputy Premier): I'm pleased to be back in the Legislature. I have been travelling the province in the last week, so I was trying to catch up this morning on the whole issue of Ontario Hydro and Costa Rica. I came to the conclusion, after having read the newspaper clippings and having listened to the Minister of Economic Development and Trade in the last few minutes, that the best course of action for me to take would be to indicate to you that the minister will be here tomorrow and will be happy to respond to any questions you might have.

Mr Runciman: The best course of action apparently is to run and hide.

I do have a supplementary. In June 1992, the Costa Rican press indicated that a Mr Alberto Vasquez, who's a director of refuges for the ministry of natural resources in Costa Rica, indicated that he planned to press charges against Mr Strong for illegally building a hotel in a wildlife refuge. I quote, "Mr Strong had absolutely no permits and he hasn't even presented a single document."

In October 1992, after a meeting with Mr Strong, the minister miraculously—not a civil servant, but the minister—said, "It's okay; we misread the maps." I have a document here from the Tico Times, dated October 1992, which indicates that Mr Strong has submitted plans for expansion of his hotel complex.

Without responding to the details of the allegations, I'm wondering if you are not, as the Deputy Premier of your government, personally concerned about what appears to be a conflict between the private interests of Mr Strong and his public responsibilities.

Hon Mr Laughren: If there are indeed conflicts between personal interests and corporate responsibilities, of course not only I but the entire government would be concerned. I do not yet, at this time at least, have any information that would indicate that's the case. That's why I think you personally will be better served when you hear from the minister tomorrow.

1430

Mr Runciman: I hope that's indeed the case. I would think certainly, once these concerns are raised, we will have very full and adequate explanations.

We know that Mr Strong has significant business investments in Costa Rica. We know he has run into legal difficulties with a hotel development in Costa Rica. We know he has submitted plans to expand his hotel. We know he has offered the Costa Rican government \$12 million of our money and we know Ontario Hydro has a \$35-billion debt.

Minister, this raises very, very significant concerns. What's going on? What's the real story? When are you going to intervene and have Mr Strong come forward with a full public explanation?

Hon Mr Laughren: I'd be somewhat cautious, I say to the member from Leeds, in drawing the kinds of conclusions he's drawing in such a categorical way that indicates there is a conflict because Mr Strong has some property in Costa Rica and the fact that Ontario Hydro is looking at the purchase of a portion of rain forest. All I'm saying to the member from Leeds is not to be too categorical until the entire story has been told. The Minister of Environment and Energy will be in the Legislature tomorrow afternoon to respond to questions.

JOBS ONTARIO TRAINING

Mrs Dianne Cunningham (London North): I have a question for the Minister of Education and Training. Mr Minister, you're directly responsible for the third-largest budget of any portfolio in the government of Ontario, and that makes you one of the most qualified public officials in the province, I think, to respond to our question.

Let's say that you discover almost 35 cents on every dollar spent on a program in your ministry went to bureaucratic overhead. That's 35% of taxpayer funding which never makes it to the people that use it. I would ask you, Mr Minister, is that to you a benchmark of failure for a government program and, if it is, would you pull the plug on that program?

Hon David S. Cooke (Minister of Education and Training): Perhaps I should wait to hear what program the member's referring to.

Mrs Cunningham: There are a number of programs, but the minister's right, I am speaking of one specifically today. We believe that any program whose bureaucratic overhead eats up almost 35 cents on every dollar fails the fundamental test of value for money, and so would the public. Yet this is exactly what we found in a recent analysis of your budget of the Jobs Ontario Training scheme, and I'm going to send it over by the page.

By your own numbers, your government spends more than \$10,500 for every job created, but the average subsidy to employers is only \$7,000. These are numbers that all of the members of this House should memorize: \$10,500 on every job created, but \$7,000 to the employer.

That means the administrative cost of every job created is more than \$3,500, and spread over the full \$346-million cost of the program to date, that amounts to \$115 million in just one of the Jobs Ontario, that is, the Jobs Ontario Training program: \$115 million in overhead alone or almost 35% of the total cost of this Jobs Ontario Training scheme.

On that basis, will you immediately cancel the Jobs Ontario Training scheme on behalf of the angry and totally exhausted taxpayers of this province?

Hon Mr Cooke: What I do know is that the kind of superficial analysis that the member is presenting is simply incorrect. From a first look at this, she's adding everything into what she calls administrative. Pre-employment training, for example, which we provide, you're throwing into the administrative category, which is absolutely wrong. There has to be pre-employment training in order to get people into the workplace.

All I know is that we're approaching 50,000 jobs created under this program. All I know is that we're

approaching \$200 million in saved or voided welfare costs as a result of this program. All I know is that in another jurisdiction, New Brunswick, where they've tried to provide training programs to get people off social assistance and into the workplace, they're spending between \$60,000 and \$100,000 per job. That is the kind of examples.

This is a cost-efficient program that is helping thousands of people in the province, no matter how you try to spin it in the opposite direction.

Mrs Cunningham: Mr Minister, everything you talked about is part of the cost of training people for these jobs, so the pre-training you're talking about is part of the job. It is a training job. Don't use that as an excuse. We're talking about administrative costs.

There are a lot of things wrong with your Jobs Ontario Training scheme. It's fallen far short of your own goals, and you know that. There are widespread allegations of fraud and abuse throughout the program. Many believe the scheme simply throws money at employers.

Interjections.

The Speaker (Hon David Warner): Order.

Mrs Cunningham: Mr Speaker, I don't think I should have to put up with that crap; I really don't.

Interjection.

The Speaker: Order. Would the member for Durham East please come to order.

The member has a valid concern about the interjections. I have a valid concern about the unparliamentary language. I would ask that the government members allow the member to pose her question and I would ask the member to withdraw the unparliamentary language and continue with her question.

Mrs Cunningham: Most reluctantly, I will withdraw if you personally feel it's unparliamentary. I think it was a compliment to some of the language that I've had to listen to. I really want you to know that.

Interjections.

The Speaker: Would the member place her question, please.

Mrs Cunningham: I can't; I'm not going to.

Interjections.

The Speaker: The member for London North.

Mrs Cunningham: Thank you, Mr Speaker. The minister should know that in spite of his objections there are all kinds of allegations of fraud and abuse. He knows about it; he's investigating these things himself. Many believe the scheme simply throws money at employers who would have created these jobs anyway. That's very important, because then the 35% is more important than anything.

According to the Kitchener-Waterloo Record of April 13, it's even possible for a social assistance recipient to refuse an offer of work from an employer under Jobs Ontario without consequence. I'll send that over to the minister as well.

But these serious flaws, all of them, pale in comparison to its administrative cost, which is, in spite of this

kind of language from the minister, 35 cents on the dollar. It can only be described as scandalously high.

Minister, given this latest and most serious disclosure, will you admit that the Jobs Ontario Training jig is up and kill the scheme once and for all?

Hon Mr Cooke: I'll just repeat that the member is entirely wrong. When I look at her sheet, the average training subsidy—

Mrs Cunningham: The sheet was provided by your staff.

Hon Mr Cooke: Now, look, Mr Speaker, she asked our side to be quiet when she was speaking and now she can't keep quiet while I'm trying to answer.

Mrs Cunningham: You're right.

Hon Mr Cooke: The average training subsidy per job, according to the release that the Tories put out, is \$7,000. Then she goes on to say that it's a cost of \$10,500 per job and therefore the \$3,500 must be administrative costs. She's wrong. There is pre-employment training, which is a major and significant component that is not part of the \$7,000. The \$7,000 is what goes to the employer.

I know that the member talks to my deputy quite often and she seems to be able to trust my deputy. Perhaps she should go spend some time and have the program properly explained to her and get a briefing, so that we can show her clearly that she is totally inaccurate and Tory research has failed again, just as they did on their propaganda called the American Revolution.

1440

FINANCIAL PROCEDURES

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Finance and it has to do with the financial situation in the budget and the Provincial Auditor's comments.

The minister will know that historically the construction spending in this province on our schools and hospitals and sewers and water was reported as an expenditure each year in the deficit. The government has moved to a new way of handling reporting these expenditures and has now got the school boards and the hospitals and the municipalities borrowing the money and the province committing to repaying 100% of that money.

What it means is that five years from now the province will owe \$8 billion to these municipalities and these school boards. That's how much the loans will be. They will not be reported as expenditures in the provincial numbers, they will not be shown on the books as part of our budgetary deficit, but the province will owe \$8 billion, more than the debt of most of the provinces in this country.

My question is this: The auditor said this is wrong. What possible justification does the province have for running up \$8 billion of debt on someone else's books?

Hon Floyd Laughren (Minister of Finance): The member chooses to characterize it in a certain way with which I'd like to part company. What is happening is that we are indeed capitalizing or amortizing the cost of these major investments over a longer period of time rather than all up front.

That is the way that it has been done. We didn't invent this way of showing capital expenditures; it has been done in the private sector for years and years and years. It seems to me that when the province is making major investments in the infrastructure of this province that will be investments for competitive purposes and for the quality of life in this province for many years to come, it makes sense to amortize the payment of those expenditures over a period of time.

I'm not sure the member is aware of this, but every year there will be payments made on the principal and interest of those loans. Every year that will be part of the operating expenditures that will be shown in the budget. There's nothing unusual about that. As a matter of fact, I think it's common sense. Other jurisdictions do it and I think it should have been done this way a long time ago in the province of Ontario.

Mr Phillips: The auditor doesn't agree with the minister. The auditor has said you must change the way you're reporting these numbers. The auditor is demanding that. It's one of the reasons why the auditor has indicated that he has severe reservations about the way the books are reported. There is no doubt that in five years we will have hidden debt of \$8 billion and in 10 years hidden debt of \$14 billion. There's no question about that.

I'll follow up with some specifics from the budget. In the last three years, the minister will know, the cumulative reported deficit was \$30 billion. That's in the last three years. But you have actually gone out and borrowed \$37 billion. You have actually borrowed \$7 billion more than your reported deficits. The minister is shaking his head, but that is the case.

If the budget truly does reflect the financial situation in the province, why is it that the province has had to borrow \$7 billion more money than its reported accumulated deficits over the last three years?

Hon Mr Laughren: I guess it's because the member for Scarborough-Agincourt wants to hark back to a different era. I don't know. But it seems to me that when you read the budget, first of all, there's absolutely nothing hidden, and I don't think he does a service to anyone, to the auditor, to himself or to me, when he talks about hidden deficits or hidden debts. There is no such thing as a hidden deficit or a hidden debt. It's all in the budget; it's crystal clear.

As far as the auditor is concerned, I have said to him, in writing and in person, that when the financial statements of this province are brought forward at the end of September this year, as they are in every year, they will comply precisely with what he has requested us to do.

I agree with the auditor on the financial statements of the province, but I would say to the member for Scarborough-Agincourt, to be perfectly clear, that a budget is a government document that lays out the intentions of the government and how it will do that. It is not an audited set of books. The budget never has been and, I suspect, never will be.

The financial statements of the province are the audited financial statements and it is with those statements we've said to the auditor, "We will comply precisely as you

request." There has never been a dispute over that except sometimes, I think, in your mind.

PENSION FUNDS

Mr David Johnson (Don Mills): My question is to the Chair of Management Board and it concerns the sweetheart pension deal that has been arranged with OPSEU.

In March of last year your ministry assured the non-union members that you would not raid their pension plan. You told the non-union members at that time that, if the plan was split, there would be a valuation that would be performed and that you would consult with the non-union members and mutually agree upon who would perform the valuation. Thirdly, you indicated to them that, prior to doing it, you would receive the consent of the Pension Commission of Ontario.

Minister, I feel that you have violated each one of those assurances that you gave to the non-union members, to the OPP and the non-union members. Would you confirm that that is true and in fact that you sold the non-union members down the river to achieve an extra \$350 million to fudge the deficit and to get back into the good graces of OPSEU?

Hon Brian A. Charlton (Chair of the Management Board of Cabinet): I thank the member for his question, although I would suggest that the member is a bit misled by others in terms of the way he has focused his question.

Firstly, he raised the question about the valuation of the plan. The valuation has been done and has been tabled, the member should know, with the pension commission.

Secondly, the discussions that we've had, both with OPSEU and with other recognized bargaining agents, and the consultations that we've had with those non-bargaining unit persons who are also involved in the public sector plan have made them aware of the valuations and the numbers and the actuarial opinions around the package that was negotiated with OPSEU.

It is my view and it is the view of all of the actuaries who have made formal comment to date, and that includes far more than our own, that the package that was negotiated with OPSEU is a fair one, that the agreement to split the plan was done on a fair basis. From our perspective, those other partners are still at the table, for the most part, with us in discussions around how to handle the rest of the plan.

Mr David Johnson: Part of the question was that you agreed to mutually find and agree upon someone to do the valuation. You haven't addressed that. My understanding is that there was no mutual agreement on who did the valuation, and indeed the non-union members feel that they've been shortchanged to the tune of at least \$200 million.

If that's true, this is very shameful and shabby treatment of long-term employees of this provincial government. If somebody with the name of Conrad Black had attempted this kind of manoeuvre, you would be the very first to stand up and bitterly complain about it, but now it's good public policy.

Mr Minister, the problem is that the non-union members' plan has the responsibility for all the current retirees, number one. Number two, the non-members' plan reinvestment rate will be about one third that of OPSEU's.

1450

What I'm going to ask you today is, can you assure all of us that the non-union-members' plan, the OPP's, will not have to incur a heavier contribution rate after 1996, because they're very concerned that the contribution rate is going to go up as a result of your agreement with OPSEU, and can you assure us that the taxpayer—

The Speaker (Hon David Warner): Could the member complete his question, please.

Mr David Johnson: —is not going to have to pick up the tab for this sweetheart deal?

Hon Mr Charlton: There are three pieces in the member's question that need very carefully to be understood by the member.

First of all, the member has confirmed in his supplementary question that he doesn't understand the process or the issue that's been put to him. The valuation was not done by the government or by the actuaries for OPSEU; the valuation has been done and always has been done by the actuaries for the Ontario Pension Board, and that's the way the process is set out in legislation in this province. So the valuation was not done by the government.

Secondly, with reference to the member's preamble on the imbalance that he sees in the splitting of the plan, all of the actuaries that have reviewed the documents in the valuation done by the actuaries for the Ontario Pension Board and the way that we've used that valuation to split the plan agree that both of the plans are fundamentally viable and will be into the future, that there are no problems with the fairness in terms of the way that we've split the plan. It has been done in a fair and equitable fashion.

FOREST INDUSTRY

Mr Gilles Bisson (Cochrane South): My question is to the Minister of Natural Resources. Minister, I understand that last Friday you were speaking to the people in the community of Sudbury in regard to some plans that you and this government have in regard to forestry policy. I want to bring to you some of the concerns that I've heard within the forestry community.

In the riding of Cochrane South, as you know, forestry plays a very, very significant role in the economy of my region, as it does in yours. You would know, for example, that companies like Abitibi in Iroquois Falls have undergone tremendous change within the industry because of the commodity prices. Newsprint has been low over the past number of years and that company, and many others in pulp and paper have really had to struggle to try to keep their heads above water.

You would also know, quite candidly, that the number of seedling contracts that have gone out from the MNR over the past number of years has been going down because of dwindling funds of the ministry because of a lack of revenue within the treasury of Ontario. Places like

Energreen Enterprises in Ramore, Lafleur Gardens in Timmins, and the Millsons have really had to cut back on the amount of work that they're doing within the forests, and that has not only meant hardship for those companies but it also has brought into question some of the difficulty that we have in regard to reforestation.

The question I have is that when the industry is going through such tremendous change as we've seen over the past years because of what's happened in the economy—

The Speaker (Hon David Warner): Would the member please ask a question, please.

Mr Bisson: —and if the Minister of Natural Resources goes into a community to make a statement, many people would get nervous. I would ask the minister if he can clarify to my constituents and the people of Ontario exactly what he's talking about when he's talking about sustainable forestry development.

Hon Howard Hampton (Minister of Natural Resources): The reality is that the forest products industry is going through a period of great change. That's acknowledged everywhere. For example, on the US west coast, over 58 plywood mills have closed down in the last 10 years and a number of sawmills have closed down. Everyone recognizes there are a number of stresses out there. As well, there are pressures from the environmental side to look at our forestry practices more carefully than ever before.

Through our sustainable forestry policy, what we've tried to put together are some opportunities for people across northern and central Ontario to take advantage of markets that are beginning to open, an opportunity to restructure some of the industry, and as well we've tried to look at some of the environmental issues that are out there.

Just recently, the class timber EA reported and it set down a number of terms and conditions and made some recommendations. In my view, the Ministry of Natural Resources is already meeting many of those requirements. We've already started many of the things which the class timber EA sets out, but there are a number of other things that we have to do from here. What we're trying to do is communicate to all the people in northern and central Ontario this need for an environmental balance and a need to take advantage of new economic opportunities.

Mr Bisson: I'm obviously interested in what you have to talk about in regard to new opportunities in the sector because you would know that the company Malette OSB in Timmins has an application now before the Ministry of Natural Resources in order to secure new timber that would become open within our area.

The minister was there back in February, meeting with the people at Malette's. You did a tour with workers at Malette who demonstrated not only the viability but the need of that expansion at that mill, supported by the Timmins Economic Development Corp, the chamber of commerce, the labour council, the mayor of the community and others.

There was supposed to be an announcement on this particular issue back in April. I was expecting it in May some time. I'm just wondering if the minister can declare

his hand a little bit at this point and let us know when we can hear some of the good news that we'll hopefully be hearing in the community of Timmins regarding the Malette OSB expansion.

Hon Mr Hampton: It is true that traditionally across northern and central Ontario, we've harvested the coniferous forests—jack pine, spruce, white pine, red pine—and we've left behind the hardwood species, principally white birch and poplar. Now, due to changes in market conditions and some new technology, we're able to utilize the poplar and white birch species.

Some of the 58 plywood mills that have closed in the United States have created a real market opening for manufactured wood products and there are a number of companies, both Ontario companies and Canadian companies, that are interested in investing in northern Ontario. We are working with those companies.

We announced a new hardwood specialty mill in Thunder Bay on Monday that will account for approximately 189 new jobs. We estimate that we will see four or five, and possibly more, mills that will deal with these kinds of manufactured wood products, and negotiations are proceeding at this time with a number of proponents.

AGRICULTURAL LABOUR POLICY

Mrs Joan M. Fawcett (Northumberland): My question is for the Minister of Agriculture, Food and Rural Affairs. In the past few months, I've been speaking to groups of farmers from Northumberland, Norfolk, Middlesex and Quinte and one question seems to keep coming up. They are asking, "Whose idea was it to bring in Bill 91?" Minister, I would like you to answer that question. Who in the agrifood industry and farming community asked for Bill 91, the farm labour bill, and why do you as Agriculture minister feel that it is needed?

Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs): I think it's important to get it on the record as to why we're doing this. When Bill 40 was brought in, in terms of modernizing the Labour Relations Act in this province, it was noted at that time that agriculture was treated differently in Ontario than it was in most other parts of Canada. In fact, there's only one other province, I believe, at this point in time where agriculture is exempted from labour laws. There was an attempt to bring agriculture under a similar umbrella when it comes to labour relations.

At the same time, it was noted, because of the farm communities' input, that agriculture was somewhat different and needed to be looked at differently. We made a commitment at that time, when we were doing labour relations with Bill 40, that we would look at some separate legislation that would deal with the specifics of agriculture. Farm workers would be allowed to organize, but it would be done in a different fashion than it is in the manufacturing sector. We made a commitment at that time to bring forward legislation that would do that and we are going to do that.

Mrs Fawcett: It's an interesting answer, because you didn't really say who asked for it in the farm community. I was really wanting to get that kind of answer. Who in the farm community asked for Bill 91?

Minister, you are aware, because I believe you were a former teacher, of the government brochures that explain how laws are made. There's that little lightbulb, an idea. An idea for a law has to come and it has to come from somebody somewhere. For Bill 91 there had to have been an idea from someone, somewhere. Farmers say it's not their idea; every farmer I've talked to. In fact, they are calling the office, "This thing is not our idea." Therefore, it's got to be somebody, and really, I didn't hear you say, so maybe you don't know where this originated.

1500

My supplementary to you is, why don't you just ask your cabinet colleague the Minister of Labour to withdraw Bill 91 and put the agricultural exemption clause back into the Ontario Labour Relations Act, or is there some kind of deal here that we just don't know anything about?

Hon Mr Buchanan: The member, I believe, is reporting concerns that she has heard from the farm sector and that's fair game. There is another side to this equation, though, and it's the farm workers who are, in some cases, working on farms in large numbers. They're working in operations, in situations which most of us would not consider really as farms. There are a few operations in this province, four or five in fact, which employ over 100 people, and those aren't really family farms, and those are the kinds of operations this new legislation is expected to include.

The member should note the fact that there is another sector of people involved here, and that's the farm workers. Those people who run around and make claims about the family farm should take note of the fact that if there is a very large commercial operation that employs 50 or 100 people competing with the family farm, this bill will at least entitle the workers to get a reasonable wage through collective bargaining, so that in fact the family farmer can compete with the large commercial operations, which will have to pay a fair, decent wage.

VICTIM FINE SURCHARGE

Mr Cameron Jackson (Burlington South): My question is to the Attorney General. You may be aware, or at least Hansard will confirm, that in June 1989 I raised with the then Attorney General of the day, the Liberal government Attorney General, Ian Scott, about the creation of a provincial victims' fine surcharge for Ontario, since many provinces were seeing this as an opportunity to expand services to victims.

Madam Minister, you'd also be aware that in October 1992 on the Focus Ontario show, your government's Attorney General Howard Hampton indicated—I won't quote the article that reports it, but he was establishing a special provincial fund to collect fines from criminals.

Minister, in London, Ontario, in June 1993 you announced that you were in fact creating a provincial victims' fine surcharge and I quote from your speech, "That the legislation establishing the provincial fine surcharge will be introduced this fall," which would place it in 1993.

Minister, that was about a year ago. Could you please tell the House how much revenue you have raised from

a provincial victims' fine surcharge for crime victims in the province of Ontario?

Hon Marion Boyd (Attorney General): The member is well aware that the legislation has not yet been introduced. It will be introduced today and we expect that it will have the results we had announced last June and in the budget of last year.

Mr Jackson: Minister, I received a letter from you; it's about the sixth letter I've received from your ministry with you as the minister, trying to track down the federal victims' fine surcharge numbers.

What has come out of a disturbing letter that I received from you is that in 1990-91, when your government assumed office, revenues were about \$500,000, a little better than \$500,000, and that the last complete year we've collected, or we were eligible to receive, in 1992-93, only \$12,000. By your own admission, under your own signature, you indicate that this decline was due to the absence of the creation of a dedicated fund and the absence of a clear policy statement from the provincial government on how to handle these funds.

My question, Minister, is simply this: Given the fact that every province in Canada except Ontario has cooperated with the federal government up until this year to create this fund, and secondly, given that we're one of the last provinces to create a provincial fund, will the minister not admit in this House that probably a more appropriate priority for her government and her ministry in this spring session would be to complete as quickly as possible the legislation to create a victims' provincial fine surcharge infrastructure for crime victims rather than, say, some of the other priorities which you plan to table either today or later this week around additional spousal benefits?

The Speaker (Hon David Warner): Could the member please complete his question.

Mr Jackson: Could I ask you, Minister, would you not make this a priority for your ministry and for your government in the interests of victims in Ontario?

Hon Mrs Boyd: The two issues are by no means mutually exclusive. I have said to the member that the legislation will be introduced by the Treasurer today. It is a budget measure. It will confirm the move that we have made to set aside a special account to account for the dollars that come in, in terms of both the federal and the new provincial fine surcharge. It is a priority, and we do fully expect to see it operational in this term. That is the action that we will be taking. It has no relationship to any other legislation that may or may not be introduced.

SUMMER EXPERIENCE WAGE ASSISTANCE PROGRAM

Mr Donald Abel (Wentworth North): My question is to the Minister of Agriculture, Food and Rural Affairs. Minister, as you are aware, a large portion of Wentworth North is rural and at this time of year many of the young people in rural areas are looking for jobs. I know that you have recently announced a wage assistance program that's supposed to be of great benefit to both farmers and young people in rural Ontario. However, I am being told that many of these young people must still look to towns

and cities for employment when they would prefer to remain close to home and work on local farms. Why is this, Mr Minister? Is the program deficient when it comes to creating jobs, or are Ontarians simply not aware of the composition of this program?

Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs): The member is quite right. I think it was about a week ago that we announced the summer Experience wage assistance program for youth. It's part of the Jobs Ontario Youth funding that's available. This year, for the agricultural sector and for youth in rural Ontario, we were able to receive \$969,000, which is actually almost a doubling of last year's allotment that we received.

This is a program that allows farmers to receive a wage assistance allotment for hiring youth, and I think this is important to provide opportunities for youth in rural areas as well. We know that farmers in the summer-time, in harvest season, have opportunities to employ youth, and this will allow them to do so with a program that's quite modest in terms of the amount of money but will provide young people the opportunity to get experience working on a farm.

Mr Abel: I appreciate the comments made by the minister, but I think there's a very important factor that Ontarians should be made aware of, and that is, how can farmers and students alike apply for this program?

Hon Mr Buchanan: For young people who are interested, or indeed for farmers, because we certainly would like farmers to explore the opportunities under this program, they can contact the local office of our ministry or they can contact their local agriculture employment services office, which is also in the phone book, because it's important for farmers to look at this program.

I might add one point which I think is important. Last year, because we had a little less than \$500,000, we just made this program available for horticultural farmers, who have a need to hire a lot of people. This year, we've opened the program up so it's available to all farmers across the province, in southern and northern Ontario. So people who are aware of this program and think they may not qualify should take note of the fact that all farmers are eligible and all young people too. We are quite willing to have people from the cities come to the country and work on a farm.

1510

SOCIAL CONTRACT

Mr Charles Beer (York-Mackenzie): My question is to the Minister of Finance, sometimes known as the Treasurer. Given the lateness in question period, I hope you'll pardon me if I try to weave a couple of threads together. I know that the Treasurer's been away and so he is in particularly good form.

My question deals with the social contract. Minister, at the time the social contract discussions were completed, it was agreed that there were going to have to be continuing sectoral negotiations, discussions in the key areas such as education, municipal government, health and others. I think there were eight all told.

There have been concerns expressed by a number of

people that these negotiations are not in all instances going very well. It is also said—indeed, you set out in your budget—that you're somewhere around \$600 million short of your targets on the savings from the social contract, so I would think that trying to get those negotiations completed and have all the details worked out and finalized would be very important to you.

Specifically, in the education sector there is concern that the arbitration process is not working very well and that there may be arbitrations going on well beyond the end of the social contract period, April 1, 1996.

My question to the Minister of Finance: Can you give us an update on how you believe the sectoral negotiations are proceeding? Will they be completed by the end of this calendar year? In particular, are you concerned about what is happening in the educational sector and are you going to take steps to make sure all of the outstanding issues are decided upon before April 1, 1996?

Hon Floyd Laughren (Minister of Finance): I appreciate the question, which is an important one, dealing with the sectoral negotiations. I certainly would hope and anticipate that by the time the Social Contract Act has expired on April 1, 1996, those issues will be resolved. It would be strange indeed for that not to have happened by the time the act expires.

If there are particular problems in any given sector, I would be more than pleased to look into them personally. I know there are delays and there are problems from time to time. It's a very complicated thing to do, to have a Social Contract Act that applies to about 900,000 public servants in the province of Ontario, so I'm not surprised there's the odd glitch in the system. But I would be prepared to inquire into the specific problems raised by the member opposite.

PETITIONS

FIREARMS SAFETY

Mr Frank Miclash (Kenora): I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

Mr Speaker, I have attached my name to that petition as well.

SEXUAL ORIENTATION

Mr W. Donald Cousens (Markham): It's hard to be seen with all these people standing in the way around here.

This is an important petition and it is signed by people from Markham, Unionville, Maple. If more people had time to sign, they would, because people are very concerned about the same-sex issue. I am pleased to attach my name to it.

"To the Legislative Assembly of Ontario:

"Whereas traditional family values"—

Mr Tim Murphy (St George-St David): Here it is.

Mr Cousens: You know, if you don't have those values, then that's another thing.

The Acting Speaker (Mr Noble Villeneuve): Order, please. The member for Markham.

Mr Cousens: "Whereas traditional family values that recognize marriage as a union between a man and a woman are under attack by Liberal MPP Tim Murphy in his private member's bill and supported by the Liberal leader, Lyn McLeod; and

"Whereas this bill would compromise the whole understanding of marriage; and

"Whereas this bill would recognize same-sex couples and extend to them all the same rights as heterosexual couples; and

"Whereas the bill was carried with the support of an NDP and a Liberal majority but no PC support in the second reading on June 24, 1993; and

"Whereas this bill"—

Interjection.

Mr Cousens: I'm sorry. Mr Speaker, I ask for that to be withdrawn. That is not right for someone to start calling me that in this House. I challenge this. Mr Speaker, I was just called a hypocrite by that member over there and I will not tolerate that.

The Acting Speaker: Order. There are many, many conversations. The Speaker did not hear the interjection. If someone has something to withdraw, please do it now.

Mr Cousens: Mrs Coppen called me a hypocrite.

Hon Shirley Coppen (Minister without Portfolio in Culture, Tourism and Recreation): I withdraw it.

Mr Cousens: If that's the way they're going to win the battle, by calling people names rather than dealing with the issues, there's a battle to confront in the province of Ontario, and I'll be fighting it.

The Acting Speaker: The member for Markham, we're on petitions.

Mr Cousens: "Whereas this bill is currently with the legislative committee on administration of justice and is being readied for quick passage in the Legislature; and

"Whereas this bill has not been fully examined for financial and societal implications,

"We, the undersigned, petition the Ontario Legislature to stop this bill and to consider its impact on the families in Ontario."

I affix my name to this bill.

TOBACCO PACKAGING

Mr Tony Martin (Sault Ste Marie): "Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains the provision that the government of Ontario reserves the right to regulate the labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces rather than act on its own to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national plain packaging strategy the most efficient method of protecting the Canadian public;

"Therefore we, the undersigned, hereby petition the Legislative Assembly of Ontario:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

I have signed my name to this petition.

Mr Tim Murphy (St George-St David): I have a petition signed by a number of people, including constituents of mine such as Edward Love, Penny Thompson and Bruce Roberts, to the Legislative Assembly of Ontario in support of plain packaging of tobacco products. It talks about Bill 119. I affix my signature in support of the petition.

Mr John Sola (Mississauga East): I also have a petition in support of plain packaging identical to the phraseology that was just used. I just want to table it.

NATIVE HUNTING AND FISHING

Mr Chris Hodgson (Victoria-Haliburton): I have a petition signed by dozens of people from Ontario. It's to the Legislative Assembly of Ontario:

"Whereas in 1923 seven Ontario bands signed the Williams Treaty, which guaranteed native people would fish and hunt according to provincial and federal conservation laws like everyone else; and

"Whereas the bands were paid the 1993 equivalent of \$20 million; and

"Whereas the treaty was upheld by Ontario's highest court last year; and

"Whereas Bob Rae is not enforcing existing laws which prohibit native peoples from hunting and fishing out of season; and

"Whereas this will put at risk an already pressured part of Ontario's natural environment,

"We, the undersigned, adamantly demand that the

government honour the principles of fish and wildlife conservation to respect our native and non-native ancestors and respect the Williams Treaty."

NIAGARA ESCARPMENT

Mr Noel Duignan (Halton North): I have a petition signed by many hundreds of residents of Ontario, people from Toronto, North York, Mississauga, Guelph, Tilbury, Grimsby, Caledon East, Clarksburg, Georgetown, Acton; indeed, I could go on and on. They're all friends of the Niagara Escarpment.

"We, the friends of the Niagara Escarpment, wholeheartedly support Noel Duignan's private member's Bill 62, An Act to amend the Environmental Protection Act in respect of the Niagara Escarpment."

As you can already figure out, Mr Speaker, I gladly affix my signature to the petition.

1520

GAMBLING

Mr James J. Bradley (St Catharines): "To the Legislative Assembly of Ontario:

"Whereas the government of Ontario has traditionally had a commitment to family life and quality of life for all the citizens of Ontario; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the government of Ontario has had a historical concern for the poor in society, who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the government of Ontario has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gambling casinos despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the people of Ontario,

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establishing gambling casinos by regulation and that appropriate legislation be introduced into the assembly along with a process which includes significant opportunities for public consultation and full public hearings as a means of allowing the citizens of Ontario to express themselves on this new and questionable initiative."

I affix my signature to this petition as I am in full agreement with it.

CAPITAL FUNDING FOR SCHOOLS

Ms Zanana L. Akande (St Andrew-St Patrick): "Whereas Loretto College school, a secondary school within the jurisdiction of the Metropolitan Separate School Board, is presently forced to divide its staff, students and resources between two inadequate facilities, some 1.5 kilometres apart, and to require said staff and students to commute between these two facilities, sometimes as frequently as three times a day; and

"Whereas Loretto College school has provided excellent education opportunities for young women, despite obstacles, in downtown Toronto since 1915; and

"Whereas Loretto College school is now ranked number one on the capital expenditure forecast submitted to the Ministry of Education for the province of Ontario by the Metropolitan Separate School Board,

"We, the undersigned, petition the Legislative Assembly of Ontario to introduce a bill giving the Metropolitan Separate School Board a capital grant for the purchase of land and for the building of a new secondary school facility for Loretto College school, thereby ensuring the continued provision of quality education to the future leaders of our province."

It is signed by students as well as parents and community leaders, and I affix my signature.

GAMBLING

Mr Charles Beer (York-Mackenzie): "To the Legislative Assembly of Ontario:

"Whereas the New Democratic Party government has traditionally had a commitment to family life and quality of life for all the citizens of Ontario; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the New Democratic Party government has had a historical concern for the poor in society, who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gambling casinos despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the people of Ontario,

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos by regulation and that appropriate legislation be introduced into the assembly along with a process which includes significant opportunities for public consultation and full public hearings as a means of allowing the citizens of Ontario to express themselves on this new and questionable initiative."

This petition is signed by several hundred representatives from the province, and I affix my signature to it.

EMERGENCY SERVICES

Mrs Irene Mathysen (Middlesex): I have a petition from Middlesex county constituents who utilize emergency services at Four Counties General Hospital in Newbury. Unlike some members who talk about Newbury, I have been there. Approximately 16,000 people depend upon the services of Four Counties General Hospital, and they respectfully petition the Legislative Assembly to call upon the Ministry of Health and the Ontario Medical Association to resolve the issue of 24-hour emergency medical coverage in rural emergency

departments across the province and to ensure that rural residents have the adequate emergency care to which they are most certainly entitled.

I have signed my name to this petition.

SALE OF AMMUNITION

Mr James J. Bradley (St Catharines): I have a petition to the Legislative Assembly of Ontario from a number of residents of Ontario. It reads as follows:

"Whereas it is imperative that we make our streets safe for law-abiding citizens; and

"Whereas any person in Ontario can freely purchase ammunition even though they do not hold a valid permit to own a firearm; and

"Whereas crimes of violence where firearms are used have risen at an alarming rate; and

"Whereas we must do everything within our power to prevent illegal firearms from being used for criminal purposes;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To immediately pass Liberal Bob Chiarelli's private member's bill, Bill 151, to prohibit the sale of ammunition to any person who does not hold a valid firearms acquisition certificate or Ontario Outdoors Card."

I affix my signature to this, as I agree with it.

MOTORCYCLE AND SNOWMOBILE INSURANCE

Mr Noel Duignan (Halton North): I have a petition to the Legislative Assembly of Ontario:

"Whereas we, the undersigned, are of the opinion that private insurance companies are exploiting Ontario motorcyclists and snowmobile operators by charging excessive rates for coverage or by outright refusing to provide coverage; and

"Whereas we, the undersigned, understand that those insurance companies that do specialize in motorcycle insurance will only insure riders with four or more years of riding experience or are outright refusing to insure riders who drive certain models of supersport bikes; and

"Whereas we, the undersigned, believe this situation will cost hundreds of jobs at dealerships and in the motorcycle industry and is contrary to the rights of motorcyclists and snowmobile operators;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario should study the feasibility of launching public motorcycle and snowmobile insurance."

I will affix my signature, Mr Speaker.

TOBACCO PACKAGING

Mr Sean G. Conway (Renfrew North): I have a petition signed by several of my constituents from places like Pembroke, Petawawa and Beachburg, which reads in part:

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario;

"Therefore we, the undersigned, hereby do petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

FIREARMS SAFETY

Mr Gilles Bisson (Cochrane South): I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

REPORTS BY COMMITTEES

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr Beer from the standing committee on social development presented the committee's report on dialysis treatment in Ontario and moved the adoption of its recommendations.

The Acting Speaker (Mr Noble Villeneuve): Does the member wish to make a brief statement?

Mr Charles Beer (York-Mackenzie): Mr Speaker, I move the adjournment of the debate.

The Acting Speaker: Is it the pleasure of the House that the motion carry? Carried.

1530

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Ms Haeck from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr90, An Act to revive Wordz Process Corporation Ltd.

Bill Pr96, An Act to revive The Hamilton and Region Arts Council.

Your committee begs to report the following bill, as amended:

Bill Pr53, An Act to revive The Canneto Society Inc.

The Acting Speaker (Mr Noble Villeneuve): Shall the report be received and adopted? Agreed.

INTRODUCTION OF BILLS

TOWN OF PICTON ACT, 1994

On motion by Mr Paul Johnson, the following bill was given first reading:

Bill Pr112, An Act respecting the Town of Picton.

COUNTY OF BRUCE ACT, 1994

On motion by Mr Elston, the following bill was given first reading:

Bill Pr115, An Act respecting the County of Bruce.

BUDGET MEASURES ACT, 1994

LOI DE 1994 SUR LES MESURES BUDGÉTAIRES

On motion by Mr Laughren, the following bill was introduced for first reading:

Bill 160, An Act to amend certain Acts to provide for certain Measures referred to in the 1993 Budget and for other Measures referred to in the 1994 Budget and to make amendments to the Health Insurance Act respecting the Collection and Disclosure of Personal Information / Projet de loi 160, Loi modifiant des lois pour prévoir certaines mesures mentionnées dans le budget de 1993 et d'autres mesures mentionnées dans le budget de 1994 et modifiant la Loi sur l'assurance-santé en ce qui concerne la collecte et la divulgation de renseignements personnels.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

Hon Floyd Laughren (Minister of Finance): Very briefly, the Budget Measures Act, 1994, includes a number of amendments to existing acts, and initiatives to implement proposals in the 1994 Ontario budget. Let me briefly highlight some of the key measures in this act.

Our amendments to the Employer Health Tax Act will provide an important incentive for employers to hire.

Through the Ontario Public Service Employees Union Pension Act, 1994, we will establish a separate pension plan for union members.

Our access-to-capital plan will accomplish two goals: (1) making it easier for small and medium-sized businesses and co-ops to grow, thrive and create jobs, and (2) increasing investment opportunities for loan and trust companies and labour-sponsored investment funds.

REVENUE AND LIQUOR LICENCE STATUTE LAW AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT DIVERSES LOIS FISCALES ET LA LOI SUR LES PERMIS D'ALCOOL

On motion by Mr Laughren, the following bill was introduced for first reading:

Bill 161, An Act to amend various Taxation Statutes administered by the Minister of Finance and to amend the Liquor Licence Act / Projet de loi 161, Loi modifiant diverses lois fiscales appliquées par le ministre des Finances et modifiant la Loi sur les permis d'alcool.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

Hon Floyd Laughren (Minister of Finance): This Revenue and Liquor Licence Statute Law Amendment Act puts into effect proposals contained in the government's 1993 budget.

A major part of this bill was originally introduced in November 1993 as Bill 127. This bill also contains amendments to the Liquor Licence Act to combat the smuggling of alcohol. The amendments will increase maximum fines, create a new offence for the illegal possession of liquor, including smuggled liquor, and strengthen investigation powers.

Other amendments include a reduction in tobacco taxes, announced earlier this year, and a change to the Fuel Tax Act to cancel the refund of tax paid on clear fuel for off-road unlicensed use.

The bill also formalizes this government's intention to join the international fuel tax agreement, or IFTA, in January 1996.

PLANNING AND MUNICIPAL STATUTE LAW AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT DES LOIS EN CE QUI CONCERNE L'AMÉNAGEMENT DU TERRITOIRE ET LES MUNICIPALITÉS

On motion by Mr Philip, the following bill was introduced for first reading:

Bill 163, An Act to revise the Ontario Planning and Development Act and the Municipal Conflict of Interest Act, to amend the Planning Act and the Municipal Act and to amend other statutes related to planning and municipal matters / Projet de loi 163, Loi révisant la Loi sur la planification et l'aménagement du territoire de l'Ontario, la Loi sur les conflits d'intérêts municipaux, et modifiant la Loi sur l'aménagement du territoire et la Loi sur les municipalités et modifiant d'autres lois touchant des questions relatives à l'aménagement et aux municipalités.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

Hon Ed Philip (Minister of Municipal Affairs): I made a lengthy statement earlier today, so I'll be brief. I hereby introduce for first reading a bill to amend several acts, among them the Planning Act, the Municipal Act, the Ontario Municipal Board Act, the Ontario Planning and Development Act, and to create a local government disclosure of interest act.

Today's legislation sets the government's initiatives to reform and streamline the planning and development system, to give municipalities greater authority and accountability, and to provide better environment protection on land use matters.

CITY OF TORONTO ACT, 1994

On motion by Ms Akande, the following bill was given first reading:

Bill Pr79, An Act respecting the City of Toronto.

1540

WORKERS' COMPENSATION AND OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI SUR LES ACCIDENTS DU TRAVAIL ET LA LOI SUR LA SANTÉ ET LA SÉCURITÉ AU TRAVAIL

On motion by Mr Mackenzie, the following bill was introduced for first reading:

Bill 165, An Act to amend the Workers' Compensation Act and the Occupational Health and Safety Act / Projet de loi 165, Loi modifiant la Loi sur les accidents du travail et la Loi sur la santé et la sécurité au travail.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

Hon Bob Mackenzie (Minister of Labour): This is clear indication that we intend to move on an issue that the other two parties have not done in 15 or 20 years.

ORDERS OF THE DAY

AGRICULTURAL LABOUR RELATIONS ACT, 1993

LOI DE 1993 SUR LES RELATIONS DE TRAVAIL DANS L'AGRICULTURE

Mr Mackenzie moved second reading of the following bill:

Bill 91, An Act respecting Labour Relations in the Agricultural Industry / Projet de loi 91, Loi concernant les relations de travail dans l'industrie agricole.

The Acting Speaker (Mr Noble Villeneuve): Mr Mackenzie has moved second reading of Bill 91. Would the honourable minister have some opening comments?

Hon Bob Mackenzie (Minister of Labour): The development of this bill has been an exercise in consultation and consensus involving the government, the industry and its workers over the last four years. All parties agree it is time for a system of labour relations in the province's agricultural sector.

Members may recall that the bill was drafted on the basis of a consensus among a task force of key labour and farm groups. This task force was formed by the government in recognition of the unique characteristics of the agricultural sector.

The original bill, introduced last July, not only prohibited the right to strike or lockout, but it has a provision ensuring that collective agreements could not prevent family members from working on the farm. The bill also included a unique provision setting up a labour-management committee to advise the government of labour relations reforms and educational programs for this important sector.

Over the past 10 months, the farm industry and labour

groups have given further consideration to Bill 91. Their representatives on the newly established Agricultural Labour Management Advisory Committee, ALMAC, have been looking at ways to amend and improve the bill. They have made a number of recommendations which the government is going to incorporate into the bill.

The most important of these recommendations include a clear understanding that the Agricultural Labour Relations Act is separate and distinct from the Ontario Labour Relations Act; amending the preamble to recognize the distinctive features of the agricultural sector; the creation of an expert agricultural division of the Ontario Labour Relations Board to adjudicate disputes in the agricultural sector; and an extension of the review period of the dispute settlement mechanism to five years from three.

I am pleased to advise this House that in a letter dated April 15, 1994, the Labour Issues Coordinating Committee, which represents more than 35 agricultural groups, strongly supported the ALMAC report:

"ALMAC's recommendations build upon the work of the previous agricultural labour relations task forces and, if successfully translated into legislative form, would establish a satisfactorily separate and effective labour relations framework for the agricultural industry."

Bill 91 is now ready for second reading. It will give farm workers rights and opportunities that their counterparts in several other provinces have enjoyed for years, and it will do so in a way that is agreeable to all parties. Workers gain rights and benefits that have been long denied, farm owners are protected against work stoppages, and there will be virtually no impact on the historical independence and character of the family farm.

I want to congratulate and thank the task force and ALMAC members for all the work they have put into fashioning a labour relations package that is reasonable and workable, and I urge this House to give its speedy approval to this important bill.

Mr John C. Cleary (Cornwall): I am pleased to participate in this debate. The Agriculture minister has said that legislation currently before the House, Bill 91, will, and I quote, "make sure that there are not animals left untended or food rotting in the fields." This is a direct excerpt from the Financial Post, dated March 23, 1994.

I agree that those two purposes are worthwhile and laudable. However, the majority of people, farmers and otherwise, including myself, do not believe that to be the full intent of Bill 91. In my travels, I cannot find anyone supporting this bill except the Minister of Labour.

To start, the full title of the bill is An Act respecting Labour Relations in the Agriculture Industry. Traditionally, agriculture has been exempt from the Labour Relations Act—that is, until the union-fest came to roost. Now the province's 18,000 year-round employees, and perhaps somewhere down the road its 14,000 seasonal workers, stand to be unionized by this NDP government.

Farmers want strong organizations, and they do have, with community involvement. They do not want Bill 91. If we as consumers and farmers have managed to exist so

long without this legislation, we should ask, why is it necessary now, and what do farmers have to say about it?

Tom Corbett, executive director of Ontarians for Responsible Government Coalition, has said: "Who wants the legislation? The farmers don't want it. The farm workers don't want it. It's an attempt by Bob Rae to appease unions he has already alienated."

Ian McRae, a grain and beef farmer in the Woodstock area, has been quoted as saying: "We will be forced to pay wages we can't afford. It will put the prices of our products up and make us uncompetitive."

I believe Vince Speziali of Bruce county said, "Basically, what it amounts to is, the union hall is going to dictate what farmers can do and can't do," when they already have weather conditions and competitors to deal with.

The member for Oxford has apparently said that Bill 91 will recognize the rights of farm workers to collective bargaining. Well, that is the real purpose of the bill. It is about unionizing, not the safety of animals and food safety.

1550

The member for Oxford apparently also said that Bill 91 will have a minimal impact on the family farm.

Mr Gilles Bisson (Cochrane South): Good member he is, too.

Mr Cleary: I see I've got an audience over there—a few; three or four.

I say, wake up. You can't alter the foundation of agriculture and not expect change. I can't believe the difference in the attitudes of this member for Oxford, this NDP member, and the former member for Oxford. The former member for Oxford was concerned about his farmers and his agricultural people.

The member for Huron, who also serves as a parliamentary assistant to the Agriculture minister, is quoted as saying, "The flap may be overblown because Bill 91 is intended mainly for corporate agriculture workers and an advisory panel with farm groups on it is helping legislators iron out some areas of concern."

Perhaps the member for Huron also needs a wake-up call. Is he aware that this very committee wrote to the Labour minister to indicate its disappointment that "Bill 91 failed to translate the committee's consensus on a number of critical points"?

Right now, we are waiting for additional input from the committee as well as other agricultural organizations on the NDP's recent attempt to appease unions and farmers. I am not certain if they are satisfied with the motions made by the Labour minister last week.

I do know, however, that Joe Colasanti told a Windsor Star reporter, "Bob Rae thinks he's going to make farmers' lives better." Can you believe it? He says, "That's baloney," and I agree. "These people are going to be out of a job."

Mr Bisson: Do you know baloney comes from farms?

Mr Cleary: Some of your people don't know that.

In the same article, cash cropper Don Ferguson said: "It's just going to eliminate jobs. Larger farms won't be

able to afford the higher wages. They will have to bring in machines to do the work."

Another Essex area farmer said: "We'll have to guarantee labourers their pay, but who's going to guarantee our pay? This bill is going to discourage people from going into farming." I agree. We sure have that problem right now, with the falling prices, the weather conditions and now your labour legislation.

On that note, I was told last month by an agricultural marketing board, which wished to remain nameless, that it would like to construct a new processing plant here in Ontario, but due to NDP regulations and legislation, it does not want to proceed with plans in this province. They said very clearly they would like to proceed with this plant but they were looking at the United States and then would return the finished product to Ontario.

To me, this screams volumes. We have an Ontario-based marketing board eager to construct a plant in the United States to process commodities grown here in Ontario, simply because it is afraid of the NDP government and its job-killing and restrictive labour legislation agenda.

Down my way, the president of the Seaway Valley Farmers Energy Co-op, Bud Atkins, told me that he thinks, "Farmers cannot afford labour legislation and that if Bill 91 goes through as is, there will be a lot less people working on farms." Williamstown cash cropper Robert Smith said, "Unionizing the farm is not the answer."

On the other side of the fence, some farmers do admit that while Bill 91 is full of holes, it is not entirely without merit. They acknowledge that employees deserve rights too, but at the same time these very people have said that labour relations have to work both ways and be positive for both the employer and the employee.

I am afraid, however, that Bill 91 will not be good for farmers. There's already plenty of evidence this government is not interested in agricultural and rural Ontario. The most recent and glaring illustration has to be the 1994-95 provincial budget, which saw the NDP slash funding to agriculture once again.

Essentially, Premier Bob Rae and Finance Minister Laughren stole another \$34 million from the farmers. The budget reveals that the NDP plans to spend \$34 million less on rural initiatives in this fiscal year, and it reduced funding by \$31 million last year. A two-year cutback of \$65 million is offensive, particularly as it cannot be explained away as an overall government cutback.

What's worse, many people have suggested the \$65-million figure is actually much higher, but with the NDP creative accounting method it is difficult to unearth an absolutely correct figure. Over all, I believe the agricultural budget has been reduced by more than \$80 million—

Mr Sean G. Conway (Renfrew North): Say it again and say it's not so.

Mr Cleary: That is \$80 million since the Liberals were in office.

Interestingly enough, however, while the NDP hasn't any more money for rural Ontario, it increased spending on its own Management Board of Cabinet, government

administration, by \$17 million. Can you believe that? The problem is that we only have four or five NDP members in the House at this time to listen to this. So much for the gospel on restraint.

Throughout the budget, Finance Minister Laughren did not say any of the words central to our provincial economy such as "farms," "agriculture" or "rural Ontario." Instead we heard many references to subways, highways and urban centres. The government seems to think the province revolves around Toronto.

Even with the release of estimates, we have no idea where the Agriculture minister and the Minister of Finance or Premier Bob Rae intend to make the cuts. All we know is that another \$34 million have been slashed and farmers can expect to feel more pain.

Also, earlier this year the Agriculture and Food minister broadened the mandate of the ministry to include Rural Affairs. It is incredible. He supposedly intends to take on more responsibility with less money. In itself, the new division will be consuming part of the existing and shrinking Ontario Ministry of Agriculture and Food.

On May 11 a news release revealed that the minister will be hiring yet another assistant deputy minister. I can't help but wonder how many more civil servants will be hired to work for this new administration. Hopefully, we'll be able to watch the magic being weaved over at 801 Bay Street as the minister accommodates more farmers with less money. I fear, however, that what we might really see is an exercise in hiring additional staff in Toronto, repainting the ministry signs and ordering new letterhead.

1600

Another example that cuts home to my riding is the government's outright refusal to consider several rural initiatives that many are concerned about involving livestock and farm exhibitions. Time and time again I have implored the government to consider these private investor proposals which would reopen provincial parks that have been lying dormant. Farmers wanted to invest money and create a small zoo, but then again they were up against more labour legislation problems and have gotten discouraged. These proposals would benefit rural Ontario and tourism, but this government refuses to allow private enterprise an opportunity to improve our economy and to create jobs.

The government's track record on labour legislation has been miserable. There is not a business person in this province who is not familiar with this NDP government's Bill 40, which provides unions with more power and limits the ability of business to survive in the face of labour disputes.

I fear it is exactly this type of legislation that we find under Bill 91. It is an extension of Bill 40 on to the farmers. Just as I was opposed to Bill 40 as a general labour relations act, I am also opposed to Bill 91. The fact that the Labour minister is shouldering Bill 91 and not the Agriculture minister is quick evidence that Bill 91 is watered-down Bill 40 labour relations for farmers.

Farmers are used to strong organizations for their community, but they do not want Bill 91. Clearly, the

major thrust and purpose of Bill 91 is to allow unionization and all of its trappings on to the family farm.

I am not certain why the NDP feels a need to unionize the farm, but the facts and the legislation are clear, and I find it disturbing. Is the Minister of Labour as well as the Minister of Agriculture not aware that agriculture is a time- and seasonal-conscious industry? Crops do not stop growing and animals do not stop eating because of a labour dispute, either on or off the farm. Everyone knows that work stoppages can quickly ruin entire crops, hurt livestock and ruin entire family operations—everyone except this Labour minister, that is, and perhaps even the Minister of Agriculture, who is allowing the legislation to run haphazardly through our farm fields.

Since introducing Bill 91, the Labour minister said, "I don't admit to be any expert at all in terms of farm products, farm production and farm operations."

Well, Minister, you need not have made this confession. Introducing Bill 91 in itself reveals your ignorance of the agriculture industry.

Bill 91 is a direct attack on the traditional farm in Ontario. The key word that this government seems to be missing is "family." They don't understand what a family is. Farm operations often rely on aunts and uncles, children, nieces and nephews, mothers- and fathers-in-law, husbands and wives, and probably neighbours who help out. Unfortunately, the Labour minister sees these people not as family members but as a bargaining unit, which is totally wrong. Farmers want a strong organization, not Bill 91.

The first draft of Bill 91, introduced last July 29, was an affront to farmers and the Agricultural Labour Relations Task Force that supplied the minister with input and directions on what agriculture needs in terms of labour legislation. The first draft was completely unacceptable.

Since then our leader, Lyn McLeod, our caucus colleagues and I have called on the Labour minister as well as the Agriculture minister to demand that the bill either be totally rewritten or have massive amendments.

Just four days ago, I received copies of a few motions that the minister says he will eventually add to this flawed Bill 91. My caucus has reviewed those amendments and, while some are positive, we are not convinced that they will meet the needs of the farming community. We have talked to many people in the last few days, and none of them seem to be satisfied.

Frankly, the Bill 91 before us today is the exact same Bill 91 that was brought before us last July. The problems that existed with the bill then are the very same problems with us today.

Even though the minister may have floated a couple of motions and suggested that he will add them to Bill 91, this has not yet been done. In fact, many concerned parties say that the minister released the motions last week simply to calm opposition and divert attention from the offensive provisions of the bill.

But to use an old cliché, "Talk is cheap." The Minister of Labour and the Minister of Agriculture and Food—and Rural Affairs, I must put in—and even the Premier may have all talked about making a commitment to agricul-

ture, but they have failed to actually demonstrate that commitment.

Again, I point to the 1993, 1994 and 1995 budgets as clear evidence that the NDP government does not care about rural Ontario. I wonder about the Common Sense Revolution, if they care about rural Ontario too when they talk about all the boundary changes that they will do and make larger rural areas. That's where our agricultural communities are.

At the very best, Bill 91 can be described as a framework upon which to work and improve. But it would seem that this government would be better to focus on many other problems they created for our economy, for small business and even for farmers before they proceed with this legislation. They should be concentrating on fixing the broken things. This government would have a full-time job.

I realize that some of the labour legislation may benefit some farmers and may even assist some farm operations. Nevertheless, this particular piece of legislation will not be beneficial to the farmers. Bill 91 will add more regulations to an already overregulated industry that is barely getting by economically. I heard one of the ministers stand in the House yesterday and say they were cutting through red tape. This will not assist in that way.

1610

In my opinion, we should return to a clean, clear, complete exemption for agriculture from the Labour Relations Act. However, if farmers, farm groups and the Labour Issues Coordinating Committee are truly convinced that the province needs some form of Agricultural Labour Relations Act, then I would be willing to work towards that end.

They say this will not affect the family farm. This is so far from the truth, because many of our repair shops, our fertilizer dealers and our suppliers will be affected by this legislation. If they're affected, the family farm is affected in the way they deliver the needs to and from the farm.

We have many cash crop people who are very concerned about this. They only have a certain length of time to harvest their fruit and their vegetables, and I can see a lot of disasters happening if this legislation is passed.

Today my colleague the member for Northumberland asked the minister a question in the House. I listened very carefully, but I never heard an answer when he was asked, "Who asked for this legislation?" I think it's very important that we find out who asked for this legislation, who wanted it and how they're going to handle it once it's in place.

This bill before us right now, however, is not acceptable to me. It is not acceptable to the farm community. If someone had told me many years ago that agriculture would be unionized in the 1990s, I would have said that was impossible, and here we are, standing here today. Something has worked so well for so many years and gone through so many challenging times, and yet this NDP government has brought this bill before the House. I know many of the NDP members across the floor. I'm sure their farmers and their agricultural communities have the same concerns we do.

We've heard about weather conditions. We've heard drought, we've heard wet weather, we've heard everything, and then to throw this legislation on top of that is, I think, unacceptable. It is unfair to the agricultural community.

Anyway, my mind is made up and my colleague's mind is made up. We thought we might have a chance today when the minister was asked a question. If we had gotten a half-decent answer out of him, we might have considered some of this, but he skirted the issue. We are very disappointed and we will not be supporting the bill.

Mrs Joan M. Fawcett (Northumberland): Mr Speaker, I understand that we should have asked at the beginning, before the speeches started, that the time be split between the two co-critics for Agriculture.

The Acting Speaker: Do we have agreement to split the time with the co-critics for Agriculture, Food and Rural Affairs? Agreed. You have an agreement.

Interjection.

Mrs Fawcett: The time, sir. The time will be split.

I want to first congratulate my co-critic for his fine speech and fine thoughts on Bill 91, the farm labour bill.

I would like to open my remarks today by quoting Mr Jim Tunney, a lifetime dairy farmer from my riding of Northumberland. One week ago today, Mr Tunney was at a public meeting held in my riding where our leader, Lyn McLeod, and approximately 25 local residents and I sat at a round table discussion to discuss Bill 91, An Act respecting Labour Relations in the Agriculture Industry. Mr Tunney's question was very profound, very straightforward, and one that certainly bears repeating. He asked, "Who in the farming community requested this bill?"

That is a question for which I have been able to find no answer. Certainly, as my colleague said, when I asked the question of the minister, it would almost seem that he didn't have an answer either. It seems to be other than farm-driven, if we could just say that much about it.

We certainly know why this bill is before us today. It is here because the NDP government, in its previous attempts to kill jobs in Ontario, amended the Ontario Labour Relations Act under Bill 40. One of those changes was to remove the long-standing agricultural exemption. Of course, when they did that, all those involved in the agrifood business, including family farms, had absolutely no protection whatsoever.

Holding this over the farmers' heads, the Minister of Labour said he would set up a task force upon whose recommendations he would draft legislation to protect the agrifood industry. Of course, if they didn't come forward with something, there would be no exemption at all.

Mr Tunney asks, "Who in the farming community requested this bill?" The simple answer is that nobody in the farming community requested the bill. But they are extremely worried that if they don't support or even show some concern for Bill 91—they don't want to support Bill 91. They don't want it; they don't think they need it; they just want their old exemption back in the Labour Relations Act. But they are really concerned that it's the worst of a horrible situation and that they therefore have to kind of look at it.

The bill really is totally driven by the NDP government's ideological bent that would see it try and unionize the family farm and, by so doing, jeopardize—really, really jeopardize—every farming operation in this province.

Another participant at that forum was Ron Knight of Knight's Appleden, a large producer and exporter of apples in Northumberland county. He was most upset with this legislation and wonders how his operation can compete against the giant United Food and Commercial Workers International Union should they put on an organizing drive at his operation. He wonders if the NDP government had any idea what this legislation could do to his family's operation. He runs a good operation; he is a fair employer. He knows that if he doesn't treat his workers fairly, they'll be gone. He needs for his operation good people, so he treats them well.

1620

I really believe that this legislation isn't for farmers; this is only to somehow feed somebody in Labour's ego. It's almost 1940s legislation in the 1990s.

It's a known fact that in jurisdictions across Canada, the right of farm employees to organize and collectively bargain has not been widely used. Even those jurisdictions that have this legislation don't use it. The proportion of the total agricultural workforce that is unionized nationally is only 4.7%. Obviously, farm workers do not see the need for this right, and certainly we in this party do not believe it is necessary.

Bill 91 should be withdrawn and the agricultural exemption restored in the Labour Relations Act. The NDP government really, I believe, doesn't have any idea what this or in some ways any other piece of legislation does to rural communities or how it affects family farms.

A good example of this is what I witnessed last year with the Employment Equity Act and its particular ramifications to apple growers in our area and other areas around Ontario. Last fall, when I was sitting on the committee studying Bill 79, the Employment Equity Act, I put forward an amendment that would give farmers an exemption for the seasonal offshore labour they use. The government members failed to even comprehend the situation in the Georgian Bay area, for instance, where over 800 such workers are sent to them through a federal arrangement. They failed to realize that the apple grower has no say in who is sent.

After the committee, I spoke to the Minister of Ag and Food, who seemed totally unaware of the ramifications. His response was: "I think we can handle that in the regulations. We'll do something in the regulations. Keep in touch with my PA, Paul Klopp, the member for Huron. I think he will be handling that." When I spoke to that member the next day, his response was more or less the same: "Yes, I think we're going to handle that. We'll look after that. The regulations will look after that, so just stay calm and everything will be okay."

Bill 79 came in and then went. I haven't seen any regulations. I don't know whether there are any regulations. We certainly haven't been made aware of any regulations to address the seasonal workers who come in

from offshore. I still haven't seen a regulation. It's so typical of this government. Yet the minister stands today and promotes this Bill 91, saying: "We've got these amendments and we're going to address all those problems. Just trust us, just put your faith in us. When you see these amendments, everything's going to be looked after."

It's hard to take to heart what the minister says. They don't really understand rural Ontario and, quite frankly, I wonder if they care. I hope they do, but I have to wonder if they really care. Their ideological bent on issues, especially labour issues, precludes the family farm in rural communities.

When it comes to government policy, we in Northumberland county, like I'm sure many people in rural communities right across Ontario, get the distinct impression from Bob Rae's NDP government, and I've said this before, that the Toronto tail is always wagging the Ontario dog. They fail to realize that every decision they make, every program they initiate, every policy they decree, can and does affect rural communities and farm families.

There appears to be no one at the cabinet table or, I wonder sometimes, indeed in the NDP caucus who really is there for rural Ontario and is asking the important questions for rural Ontario, questions like: Is this legislation really going to work in areas where public transportation doesn't exist, for instance? Can it work where there's little or no infrastructure? Will it work where the delivery of services depends solely on the willingness of volunteers?

Here again, in this labour bill as a sort of attachment—so far it's just an attachment to the main Bill 40. We're promised it's going to be separated. I really hope it is, although I wish they'd withdraw it. Is this really necessary in rural Ontario?

We feel that in an environment of declining primary resource prices, declining manufacturing employment and diminishing provincial financial resources for services, rural communities are becoming justifiably more critical of how government policy impacts their areas. It is incumbent on us, the legislators, to develop and present rural policy that addresses the broadening range of needs of rural communities.

In fact, the rapidly changing nature of rural communities puts a premium on rural policy development, and I continue to believe that rural areas are demanding a part of the policy. They need a special part of any policy that really treats their needs. General policy doesn't any longer fit. As my leader, Lyn McLeod, continues to say, one size doesn't fit all. In the future, I strongly believe policy should and must have a rural component.

We need to think about rural Ontario in health, we need to think about a rural component in economic development policy, a rural component in the planning policy—we've got announcements today by the Minister of Municipal Affairs, and I hope he really was looking outside the parameters of Metro Toronto and to the rural areas—a rural component in child care policy, and so it goes on.

Rural communities will not be, nor should they be, content to sit back and wait for someone in Queen's Park to deliver this policy. They're going to want an active voice in its development and implementation, and this will require a far more proactive policy for rural Ontario than has been exemplified by this NDP government so far.

But far from consulting with rural Ontario, I wonder if the NDP ministers even talk to one another. Did the Minister of Labour really consult with the Minister of Agriculture, Food and Rural Affairs? Even better, had the Minister of Agriculture, Food and Rural Affairs told the Minister of Labour about the structure of the agricultural labour market, together with the sensitivities of the sector, like perishability—foods rot, and they need to be dealt with when they're ready—and animal welfare, as animals must be cared for every day, and low incomes and global competition, another factor, he would know agriculture deserves, in fact cries out for, a different treatment in the labour relations context.

Is anybody in your government talking to each other? Is there anyone at the cabinet table for rural Ontario?

But the Minister of Labour didn't even have to talk to his colleagues, which I'm assuming he didn't. All he had to do was read the two reports and the background studies prepared by his Task Force on Agricultural Labour Relations. There was a comprehensive study done, and the background studies were excellent, by this task force on labour relations.

1630

There is no evidence, when you look at the bill that was drafted, that he had done that. However, the public is becoming far too familiar with these NDP tactics of co-opting the stakeholders by pretending to consult and then just slamming down legislation which only reflects their own ideological bent. If the stakeholders cry foul, just tell them you will cover it in the regulations and throughout the process hold the ever-threatening government stick to their heads. You just cannot continue to do that with the province's second-leading industry. There will be revolts in the streets, and in fact I think we have seen signs of that already.

The realities are that the ongoing structural change in Ontario agriculture has had a profound impact on rural Ontario. The rationalization of agriculture, which can be attributed to a wide number of factors, including high interests rates in the 1980s, low commodity prices, increasing input costs, trade issues and falling market share, has affected the economic and social fabric of many rural communities. Now these attempts to unionize the family farm only further erode the social fabric in rural Ontario and are really in direct conflict with the farmers I talk to.

As I've said before, and despite these current trends, Ontario still has the largest and most diversified agricultural industry in Canada. Ontario is the largest crop-producing province, based on cash receipts, and it is the second-largest producer of livestock and livestock products. This doesn't mean that the NDP government can sink its teeth into these industries and extract the union dues. The farmers cannot bear the added burden of

union costs, and certainly the consumer has made it known loud and clear that they're not about to tolerate any price increases.

The vast majority of farms employ fewer than five employees. A substantial portion of these employees are seasonal. The seasonality of employment in agriculture, as well as the prominence of casual and offshore labour, suggests that the composition of the appropriate agricultural bargaining unit is a significant one, and I think the key word here is "appropriate." It's not something that should be dealt with later in regulations, as this bill would suggest, or even amendments. We are promised amendments that are going to make everybody happy. Boy, I hope it's true.

Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs): They're going to be there.

Mrs Fawcett: The minister is saying that they're going to be there. I hope so. I have them, but I think there are a few missing. Interestingly, when we tried to get hold of some of the farm organizations, they weren't even sure that they were happy with them yet, because of course they hadn't had time to go over them with a fine-tooth comb. But no doubt we will be hearing whether or not these amendments are going to do the trick.

I don't think these family farms really should be expected to battle giant union organizing drives put on by the United Food and Commercial Workers, which has far more resources and money. It would really be the giant union swallowing the tiny family farm.

But perhaps the most significant thing about this piece of legislation is not what is in it, but what isn't in it yet. Here I am referring to a comprehensive and flexible definition of agriculture, and I notice that there is an attempt to define "agriculture" in these proposed amendments that, hopefully, will be put forward some time later in committee.

They've certainly tried to cover, and hopefully they have covered, all the parameters of agriculture. Someone asked me, and I hope there will be an answer to this question, is deer farming included in "livestock"? There didn't seem to be a reference to that, and there are deer farmers out there who will be very concerned about that.

The NDP will tell you that it they have this definition for agriculture, and if we just look at that and vote for these amendments, everything in the bill will be rectified. As far as I'm concerned, so far these are just more NDP promises of what it will do when this bill gets to committee.

I don't need to tell anybody in this House or indeed in our province what NDP promises mean. In a lot of cases, they mean absolutely nothing. Just ask the students in our province, who were promised the elimination of tuition fees and now have seen them increase 42% under this NDP government. Ask the union leaders of the province, who have seen their right to collective bargaining vanish with the implementation of Bob Rae's social contract. Ask even the previous NDP supporter Dennis Drainville, who has seen this government institute casino gambling, once something very much against anything they would ever think of. I could go on and on with the litany of

broken promises and false hopes that Bob Rae's NDP government has raised.

If I were to judge the NDP government's commitment to agriculture, you only have to look at the last three budgets. Over the last three years, funding for the Ministry of Agriculture and Food, and now Rural Affairs, has dropped. My figures in adding it up, especially using the estimates that came this week—it's pretty close to a whopping \$100 million it has dropped by over the three years. This is a disgrace, for something as important as agriculture, the second-leading industry in our province, that this is what this government considers. They drop their funding by \$100 million.

What kind of message does that send out to Ontario's second-leading industry that is responsible for one in five jobs in Ontario? We have these wonderful promises of all the jobs that are going to be created, yet nothing is being done to help agriculture and all the jobs that are related to agriculture.

It's interesting that in the estimates book, it says, "The purpose of the Ministry of Agriculture, Food and Rural Affairs is to enhance the ability of the agriculture and food industry to effectively provide a viable and sustainable environment for the provision of competitive quality products and services."

I wonder what Bill 91 has to do with that purpose of Agriculture. I wish I could understand how Bill 91 is going to assist this government in seeing the purpose it has stated here come to fruition. It just doesn't make sense to me, where there are so many other areas they could be addressing, like research and development in agriculture, like the programs to help farmers.

Farmers don't want handouts. They just need help at a certain time, to get them over humps before they realize their crops or whatever, and there are so many ways this government might have brought forward legislation to assist farmers. I think they've missed a real golden opportunity here in this session, because if this is the only bill that's coming forward from Agriculture in this spring session, then it really concerns me. I think it just sends out the wrong signal to the agricultural community.

1640

At the same time that this government has increased overall spending, including double-digit increases to the Ministry of Labour and the Ministry of Citizenship, this particular bill, as it stands right now, is in itself evidence of how the NDP government has failed to listen to the agrifood community. It would have been, I think, just as easy to stabilize the funding to Agriculture if not even raise it a little, rather than some of the ministries that did seem to find favour in this particular budget we just were given.

I think when the government first started talking about its labour reforms after taking office, it made clear that it intended to remove the traditional protections family farmers had from labour disputes. The NDP planned to simply eliminate the agriculture exemption from the OLRA and subject farmers to the same provisions as all other businesses were to face. However, thank goodness, the farm groups across the province made it loud and

clear to the Minister of Labour that this would seriously jeopardize and hurt the agricultural industry, and so, in January 1992, the Minister of Labour agreed to an agricultural labour task force to quell the growing protest in the farm community.

This task force was given the mandate to study the unique nature of agriculture in relation to labour reform. The task force was comprised of three representatives of farm employers, two representatives from organized labour, one representative of farm workers and two staff from the Ministry of Labour and the Ministry of Agriculture and Food who acted as the co-chairs.

This, to me, was a good task force, well represented, all parties, all the stakeholders there. At the time, the minister even said, "We want the task force to look at a wide variety of options, particularly the inclusion under the OLRA of factory-like agricultural operations, but certainly not the family farm."

The NDP led farmers to believe that the report of the task force would be used as input into the changes planned under Bill 40. Unfortunately, the Minister of Labour went ahead and introduced Bill 40 before the task force report was finished. In fact, the final work of the task force, including its specific recommendations for agriculture, was not released until the fall of 1992.

With Bill 40, the NDP removed the agricultural exemption that had been there for years to protect the farmers, and this was removed from the OLRA, removing all protections for farmers. This action was nothing less than a threat designed to intimidate farm groups into agreeing to the reforms under the work of the task force. Farmers were now dependent on the NDP bringing in additional legislation to protect them.

The task force ended up recommending a number of specific measures designed to protect the agricultural industry and the family farm, such as preventing strike action, separate legislation instead of amendments to the OLRA and exempting family members from collective bargaining. Many individuals and farm groups worked long and hard to ensure that the task force provided a reasonable framework of recommendations in the face of the NDP ultimatums for reform and in the face of the reality that the exemption for agriculture was removed under Bill 40.

I want to emphasize my support for the difficult work done by farm leaders in the work of the task force. Although there were only farm representatives on the task force, farm leaders across the province worked through the Labour Issues Coordinating Committee to ensure that the farm task force members had input from right across the industry.

Those working on the issue did not have an easy task, to be sure. Faced with the reality that the NDP would not budge from its ideological agenda to bring farm workers under the Labour Relations Act, farm leaders across the province were successful in drafting recommendations that met the NDP's demands and yet gave that important protection to the family farm.

What is unfortunate is that the NDP would put the farmers into this kind of defensive position in the first

place. What is unfortunate too is that at a time when agriculture is facing serious financial problems, when farmers are struggling to survive, the main priority of the NDP was to bring farmers under the OLRA. The NDP's agenda did nothing to help the real problems of farmers.

After months of delay, the government finally brought forward its promised implementation of the labour task force's recommendations under Bill 91. These were brought in just last summer, just before the House recessed.

Unfortunately, Bill 91 is not what the task force recommended. One wonders, why didn't the minister at that time recognize the hard work done by the task force? Why, all of a sudden now, is he promising, "Oh well, we're going to make the amendments"? Why didn't he just do it when the bill came out?

Mr Cleary: Promises, promises.

Mrs Fawcett: I know, I know. They make these promises. If we had to have this bill at all, then why didn't they do it right in the first place?

Farm groups, under the continuing work of the Labour Issues Coordinating Committee, sent the bill out for a detailed legal review and found 11 major areas where Bill 91 fails to live up to the spirit and work of the task force recommendations.

On November 9, 1993, Grant Smith of the Ontario Milk Marketing Board and chair of the Labour Issues Coordinating Committee sent a letter to the Minister of Labour which reads in part as follows:

"The Labour Issues Coordinating Committee was extremely disappointed to find that Bill 91 failed to translate into statutory form the consensus developed by the Agricultural Labour Relations Task Force on a number of critical points."

When we first asked the Minister of Labour to explain this last fall, he denied that the bill differed from the task force report and said the legislation was supported by all the involved farm groups.

Since that time, the tune has been changed, and the Ontario Federation of Agriculture, the Christian Farmers Federation, the Ontario Fruit and Vegetable Growers' Association and other commodity groups have tried to get the NDP to understand that Bill 91 is not what they expected, is not what they wanted and is fatally flawed.

At the beginning of this session we put the issue to the Minister of Labour again. This time the minister promised he would fix what he sees as some "minor housekeeping" issues in Bill 91. Well, maybe he thinks 11 problems, 11 recommendations, are just "minor housekeeping," but I think there were real serious flaws and certainly the farm community would agree.

Today the minister is definitely trying to tell us that all is well, and we can trust the amendments that he is proposing and this is going to fix all the worries of those in the farm community.

Mr Cleary: They didn't understand their questions.

Mrs Fawcett: But no, they didn't seem to understand the question that I asked today. Either that, or maybe they understood it all too well and didn't have an answer, or

the answer that they wanted to give as to whose idea this whole thing is.

1650

The minister wonders why the opposition doesn't trust his handling of the issue. The reason is that the trust was broken when the farmers saw Bill 91. We have learned that the minister's words can't be trusted and therefore we need to see specific amendments that fix the structural flaws in this bill, if indeed we must go through with it. I can tell you that we in the Liberal caucus will indeed have specific amendments when this bill reaches the committee stage, if and when the government does bring it forward.

It's interesting when you look at the recommendations. I might just take time to put some of these on the record because I really believe that these recommendations are very important. Every one of them is important, and I am only hoping that the amendments address all of the concerns in here.

The first recommendation is the failure to create a sufficiently separate statutory framework. Now, the minister did mention, and I believe I heard him correctly when he said that it is going to be separate, but I guess seeing is believing and I will wait to really see this amendment put forward in committee and then see if indeed this is what the farm community wants.

The task force recommended that the creation of a separate statute for the agricultural sector, to be called the agriculture labour relations act, is necessary. The task force noted the unique characteristics of the agricultural industry, including "seasonality, climate sensitivity, time sensitivity, supply management and the need for maintenance of continuous processes to ensure the survival of animals and produce."

Because of this, the task force said agriculture deserves a "distinct regulatory framework for the sector because it, in effect, creates a different kind of labour relations system."

However, Bill 91 creates no new legislation. It simply amends the existing Labour Relations Act which covers all other employers in the province. The problem is that, where agriculture provisions are silent or are not actually in conflict with the Labour Relations Act, the Labour Relations Act provisions will prevail. This does little to give consideration to the special characteristics of agriculture, as desired by the task force.

In the ministry news release, Bill 91 is described as a "new act." This was obviously a smokescreen to hide the NDP's broken promise.

The second recommendation is the failure to create a sufficiently separate administrative body. The task force recommended that a special agriculture labour relations board be created to review issues and disputes and which would recognize the unique nature of agriculture.

However, Bill 91 sends agriculture issues to the existing Ontario Labour Relations Board, covering all employers. I am sure they are fine people, I am sure they are knowledgeable people, but are they knowledgeable about agriculture? We need someone on that group who understands the uniqueness of agriculture.

The legislation prescribes setting up an agricultural division of the labour relations board, and I hope that the minister has taken this to heart. Bill 91 does not even ensure that the labour relations board panel dealing with agricultural issues be composed from the farming industry.

Number 3 was the failure to emphasize the unique nature of agriculture. The task force recommended that the legislation should recognize the unique nature of agriculture in the preamble. The preamble of Bill 91 says only that there are "certain unique characteristics" to agriculture. It does specify what these characteristics may be, but we would like it to really be more specific. We want it to mention climatic conditions, seasonal variations and the perishability of produce and livestock. Those really spell out the uniqueness of agriculture so that there is no mistake, because sometimes in disputes and things, these things can get lost. The intent is lost if it is not there in black and white.

Number 4 was the failure to prescribe a comprehensive and flexible definition of "agriculture." In reading over the amendments, I see, and I said this before, that there has been an attempt to define agriculture. I'm happy to see that and I really hope this is going to cover everything and be something that the farm community is happy about.

Number 5 was the failure to prohibit strikes. The task force recognized that any work stoppages in the agricultural industry would be catastrophic and only agreed to extending collective bargaining if there was an absolute restriction on the right to strike. Although Bill 91 says, "No employee shall strike or threaten a strike," there are no provisions to prevent this from happening by prescribing a penalty against strike action.

Most legislation contains specific penalties for contravening important provisions. Bill 91 does not. It may be days before an illegal strike action is resolved, with no compensation to the farmer and no penalty for those involved in a work stoppage. We know that the perishability of crops and the need to have animals looked after daily is most important.

Even work slowdowns are of real concern, because when the crop is ready, sometimes it has to be overtime work to get the crop out of the field and into the markets or into the processing plants immediately. The consumer demands and will not buy unless the quality is there, and anyone involved with farming knows that the quality is a tricky thing to maintain in produce. That certainly is a real concern that we hope will be addressed.

Number 6 is the failure to provide an adequate dispute resolution system. The task force recommended a carefully structured 120-day process of negotiation, mediation and arbitration to resolve disputes. The minister did make mention of that today, and I do hope, when I get a chance to really analyse the amendments, that it is what the task force asked for.

Bill 91 makes some changes to the recommended process, including following the generic Labour Relations Act role of an arbitrator who can review, discuss and mediate a broad range of issues instead of the recommended "selector" position, which would simply decide

between final offers. Farmers are concerned that mediation leads too often to compromise-based wage increases, a process many farmers can't afford to participate in.

Number 7 is the failure to implement specialized services and education support. The task force recommended a number of provisions designed to help the industry cope with the new labour responsibilities. These included the establishment of a labour-management advisory committee to monitor the implementation of the legislation and to provide education and training on labour issues. Bill 91, however, only provides discretion for the minister to appoint a committee to advise the minister, not the industry. So I hope something there will be changed to address the industry's concerns.

1700

Number 8 was the failure to exempt family members, and this one really received some thought and real discussion in the farm community. The task force recommended that the legislation contain specific provisions to exempt farm family members from being subject to collective agreements. Bill 91 only provides an exemption for the immediate family, defined as a spouse, child, sibling or parent. Especially now, many family farms, where groups have gone together to make the whole operation viable, involve extended families like cousins, aunts and uncles and in-laws. Bill 91 does not exempt these family workers from having to participate in collective bargaining and union membership.

Number 9 was failure to exclude seasonal workers. The task force recommended separate regulations be developed to cover seasonal workers at a later time. The task force defined "seasonal workers" to include any workers employed for less than the entire year. Bill 91 makes it unclear as to whether certain workers will be classified as seasonal or part-time. There's a big difference there. While seasonal workers' ability to organize would be delayed until some future date, part-time workers would be allowed to participate in the union organizations of other full-time employees. So there could be some confusion there. I know certainly in my riding we have a lot of seasonal workers in the fall when crops are being harvested.

Number 10 is failure to exempt some share-growers. The task force recommended that share-growers be exempted from the legislation. While Bill 91 provides a general exemption of share-growers, it does allow a process to protest whether a share-grower is an employee and thereby to demand that they be included under the legislation. I hope we can really define this and get something there that will appease everyone.

Number 11 is failure to specify appropriate access to farm property during a labour dispute. The task force recommended that access to farm properties for organizing purposes be limited to protect the health and sanitary conditions of the livestock or produce at the farm operation. This recognizes that many farms have disease-control procedures which restrict access to certain areas to control disease. Bill 91 talks about health and safety provisions in a manner which seems to refer to employees, not to livestock and crops. We certainly hope this is an area that has been carefully looked at in these

amendments when this bill goes to committee, because again it could be catastrophic to lose a whole herd or to lose crops and so on just because, due to a dispute, people are not allowed access to the farm.

As we think about all of those recommendations the task force made, which in Bill 91 as it stands now were not really addressed, let us hope that in this time that has elapsed since Bill 91 had first reading, the minister and his staff, in conjunction with the Minister of Agriculture, have really looked very, very carefully at the farm needs and the whole issue.

Number one, of course, with us is whether it's needed or not, but it would seem that it's going to go forward. Let us hope the amendments the minister is promising will really go forward and address all of the concerns that have been put forward by the task force.

I have to come back to the round table discussion I attended last Wednesday with my leader. Farmers there are still very bewildered. They really do not see the need for this legislation, but they know that if this bill doesn't go forward, they need the farm part of the Labour Relations Act, the exemption for the farmers, put back in. But if that's not going to happen, then they say, "I guess we have to make sure that somehow we can get 91 to reflect the farm community."

I know farmers always attempt to treat their workers fairly. I think they realize that it is important for them to have good workers, people who know what they're doing and they realize that those people have to be paid a reasonable wage if they're going to keep them.

I'm sure the member for Huron, if he has to hire somebody on his farm, knows he can't hire just anybody. He has to get somebody who knows what they're doing; otherwise it could be a disastrous loss for him. Times are tough enough in the farming community.

I have a suggestion; I want to put it forward for sure because certainly as Bill 91 is right now, as my colleague has stated, we in our caucus will be voting against this bill because we do not feel it is necessary. We really want the best for our farmers and for our farm community. We don't feel that the minister has really addressed the problems. Rather than waving his amendments around, rather than altering the priority list to satisfy farmers so you can go to the polls this August, rather than trying to amend this fatally flawed piece of legislation, you really can have a very easy solution: Make one amendment to the Labour Relations Act that would restore the traditional agricultural exemption. This is what the farmers and the agrifood industry truly want and it is truly what they deserve.

I wish both ministers, the Minister of Agriculture, Food and Rural Affairs and the Minister of Labour, would really think seriously about that amendment rather than this Bill 91.

Mr Paul Klopp (Huron): To the Liberal Party: It reminded me of the stable funding legislation. I think you just took out the words "stable funding" and put in these words. I think they were proven somewhat wrong; that is working very well.

The fact of the matter is, the labour issue has been

around for many governments, and some people have said to me that we really need to get this addressed because many times the farm organizations have been accused in this province wrongly, I would suggest, about labour issues.

Many people have said, "Bravo; your government has taken it on." In fact, the minister said very clearly at the beginning when he was talking about the original Bill 40 that he asked the farm community to come together and they did reach a consensus to move on as long as it's separate legislation, as long as their rights are going to be looked at openly. That was a commitment that was made and that commitment has been followed through.

1710

I can honestly say that we have worked very hard with the farm community, with labour and the farm businesses, and in fact the people who have been on the committee that worked on this were farm people who really had a vested interest in this. It wasn't like a farmer like Paul Klopp, who farms by himself, and his family, which is what they're trying to allude to that this is going to attack, which is wrong. It was people who are in the apple industry and who are in the tobacco industry and who have a lot of employees. They were the ones who came forth with recommendations.

Everyone knows that when the first bill is read there are usually lots of amendments. To have only 11 amendments, proposals to change, is, to me, quite good. Then the Minister of Labour went on with those farmers and that farm committee and has worked with those amendments. Because of process, I understand, they're not officially tabled until second reading is complete. That's fine. We know that. The farm community knows that.

This bill is about offering some rights. A farmer told me the other day: "This is like our opportunity to have supply management. It doesn't mean I'm going to have supply management, but there's a right for me to have a right." This is all what this bill is about: a right.

Mr Noble Villeneuve (S-D-G & East Grenville): I am pleased to comment on the participation of my colleagues from the Liberal Party. The member for Northumberland mentioned something to the effect that when the Liberal leader and she herself met with some people last week, the people they met with were quite confused.

Maybe I can explain that, because I think the Liberal Party at one point said that labour reform was on its agenda had it stayed in power. Maybe the time that this government brought it in wasn't quite the right time, but indeed labour reform—they didn't say whether they were going to exempt agriculture, except when this bill was initially brought in the Liberal Party was kind of waffling on it. They didn't say they would repeal it. I thought we were quite clear on the fact that it's an addendum to Bill 40. If the Progressive Conservative Party of Ontario ever came to power, Bill 40 and Bill 91, which are effectively twins, would be repealed; completely repealed. There are no ifs, ands or buts.

So I think I understand a bit why the people in Northumberland had some problem in accepting just the

confusion a bit, because I remember that the Liberal Labour critic when the bill was initially brought in—and we'd discussed it before—was questioning a number of things, but at no point did he say he was going to oppose it or support it.

I know the Liberals brought in their own private day of opposition and it surrounded this because they were trying at that point to make the very point that we had made initially. I've noticed that the Liberal Party quite recently is saying, "Me too," to a lot of things that have come forth from task forces from the Progressive Conservative Party, and I understand that because we've been out there listening to the people and we indeed put forth what the people suggested to us. I think I understand.

Ms Christel Haeck (St Catharines-Brock): I listened with interest to both members from the Liberal caucus who ventured into the fray around this bill, but I have to concur with the member from Huron: This is not a surprise to anyone here. This has been something that's been long discussed in this place.

What does concern me, however, and what I felt I should remark upon, particularly to the member for Cornwall, is that in his remarks he ignores, I believe, some of the very important initiatives that the Ministry of Agriculture, Food and Rural Affairs has undertaken across this province.

If I may refer again to a question put forward by the member for Wentworth North just this afternoon to the minister with regard to youth employment, at least 1,000 young people will be employed across this province through funding from OMAF. In his own region, as a result of funding from this government, we're talking about corn producers who are going to be able to see their produce made into ethanol. We're talking about a recent announcement in my own riding on what we had talked about for some years, conservation easement, something they probably had the opportunity to do but didn't do. It's called the Niagara tender fruit lands program. That's over \$18 million that this ministry is putting for the use of farmers in my area, to protect agricultural land, to make sure those farmers are able to continue to farm, something I'm sorry the member did not mention, as he should have.

I know the minister, in my discussions on behalf of farmers in my own area, has looked at the issues of safety nets and negotiating with the federal government, so I wish he would remark on those issues when he responds.

The Acting Speaker (Ms Margaret H. Harrington): The member's time has expired. We have time for one more question or comment.

Mr Mike Cooper (Kitchener-Wilmot): In response to my colleagues from Cornwall and Northumberland, they mentioned about the background studies. One of the things that's quite clear in here, when they're talking about where this legislation came from, is right at the very beginning where it states that right now in Canada, the only province that is excluded after we do this legislation will be Alberta. So this didn't come out of the blue. Even in the United States, where there is no federal jurisdiction under labour relations, half the states have

taken it upon themselves to bring in some form of agricultural labour relations. So this didn't just come out of the blue; this is being done everywhere. It just seems like Ontario has been hesitant and has held back and now we're finally catching up.

As for the amendments which have been handed out to my colleagues from all of the caucuses, there are 26 amendments. While some of them are just housekeeping ones, most of them are very substantive and do answer the 11 or 12 questions that have been raised by the task force. I think once we get into committee of the whole or committee, whichever we decide to do, you'll find that these will all be put forward by the government and they'll address most of the problems.

The Acting Speaker: The member for Northumberland or the member for Cornwall has two minutes to respond.

Mr Cleary: I would like to thank members on all sides of the House for their comments. I think there may be a bit of a misunderstanding. What the member for S-D-G & East Grenville mentioned about the former Liberal's labour agenda, I seem to have missed that part of it. I don't recall anything, and my colleague from Northumberland says the same.

I would just like to comment on what the member for St Catharines-Brock had said, that we as the Liberal Party are very concerned about the cutbacks that the Ministry of Agriculture is facing and we're concerned about where that money is going: into other boards and commissions of this government. We feel that agriculture and rural Ontario need to have more say in the rural areas. We don't need any more say here in Toronto on some of the issues.

I know some of the members had mentioned about the 20-some amendments. We're concerned about those amendments, because I don't think they address the issues that we would like addressed. The other thing we're concerned about is the family farm and what relatives are allowed to work on that family farm.

These are issues that I hope we can deal with when it goes to committee.

Mr Villeneuve: I too relish the opportunity of participating in the debate this afternoon. It's a debate that I thought and hoped would not come to pass, because Bill 91 and agriculture have to this point been exempt from any labour laws, and I think that's the way it should be. However, this government saw fit to bring in some major labour reforms known as Bill 40, and this is simply an addendum or an add-on to Bill 40, called Bill 91.

There will be some 25 amendments, I believe, and some of those amendments are striking out areas that are within the bill. I appreciate that. It's too bad they didn't strike out the entire bill. That would have been a lot more reasonable.

1720

I'll read you one amendment. It's the very first one and it's in the preamble. It goes like this: "It is in the public interest to extend collective bargaining rights to employees and employers in the agriculture and horticulture industries."

I don't know who coined that one, but I have to totally disagree. It is not in the public interest. Quite obviously, someone has seen fit to include a preamble. Where they would get the notion that it is in the public interest to extend collective bargaining rights to employees and employers in the agriculture and horticulture industries is scary.

Agriculture and food, my colleagues in the Liberal Party say, is the second-most-important industry in Ontario. I have to differ with them. I always have. It is the most important industry anywhere in Ontario. We're all consumers of the product. We export it. We export it by the millions of dollars. It is the most important. We can do without our cars and we can do without our televisions, but we won't go very long without food. Some of us maybe partake of that good thing too much, but that's beside the point.

I've been in this Legislature now for 10 years and Mike Harris and my party have been saying, "Look, we don't need this." There used to be a Liberal member who sat here; he came from Owen Sound. He had a great saying. It goes like this, and it's not unparliamentary because it's been said in here before: "You can take a horse to drink but you can't make him water." Well, this is what we've got with this government here. They are bound and determined to bring upon agriculture something that's not needed, and to bring a preamble that says it's in the public interest. I don't understand that.

The second paragraph makes a little more sense; however, if the first paragraph wasn't there, we wouldn't have this bill. It says: "However, the agriculture and horticulture industries have certain unique characteristics that must be considered in extending those rights. Those unique characteristics include seasonal production, climate sensitivity, time sensitivity, the perishable nature of agricultural and horticultural products, and the need for maintenance of continuous processes to ensure the care and survival of animal and plant life."

They're opposing statements. One of them says it's in the public interest to extend collective bargaining to what's been described below. It makes no sense, because collective bargaining is a major, major problem at times, whenever we have opinions that do not agree. So I have great problems with that.

The other problem I have is that we now have the Minister of Agriculture, Food and Rural Affairs—and I agree with that; that's the way it should be. However, we have the Minister of Natural Resources telling us what a farmer is, we now have the Minister of Labour telling us what a farmer is, and we will probably have a number of other ministers telling us what in their opinion a farmer is. Yet where is the Ministry of Agriculture, Food and Rural Affairs in all this? They have a designation of what a farmer is, what a farmer traditionally has been. We have ministries that are not involved in agriculture, food production or rural affairs telling us who we are or what we should be. That doesn't make sense.

Again, it states here that it's in the public interest to extend collective bargaining rights to employees and employers in agriculture. I don't know where they got this.

There's a package of 25 amendments. When a bill comes to this Legislature—and I think Bill 105, which wound up being Bill 42, is a prime example. Bill 105, which was stable funding, was unworkable. It was put together by a group of bureaucrats who really didn't understand agriculture at all. The minister did the right thing: He withdrew Bill 105 and replaced it with Bill 102.

We're bordering on the same kind of situation here, where we have 25 major amendments to a piece of legislation that is in second reading. To have that many amendments effectively changes the whole context, the whole gist of the bill. I would say to the Minister of Labour and to the Minister of Agriculture primarily that indeed this should be considered and maybe we should rewrite this bill again, because you're wiping out entire sections here. "The government recommends voting against section 10 of the bill." Period. That's an amendment. That was a section that was put in there. There's a whole bunch of these. "The government recommends voting against section 8 of the bill." Doesn't that give you an inkling that there's a major problem? "The government recommends voting against section 6 of the bill."

The Ontario Progressive Conservative Party says, "Let's not go around taking little chunks and pieces out of it; let's just do away with Bill 91 altogether, solve the problem, rip it up." However, I don't think it'll happen, because this government is bound and bent on its social agenda, and the food-producing sector is going to be unionized one way or another. Again I repeat that we as a party, should we ever have the privilege of being the government of this province at some future time, would repeal both Bills 40 and 91 without equivocation.

Ontario agriculture is not accepting this bill willingly. It's being forced on our food production sector, which has been under attack for 10 years, but particularly since this urban-oriented government came to Queen's Park in 1990. I'm going to quote some figures that my friends across the way may not like, but they're accurate. I double-checked them.

The Ministry of Agriculture and Food has, since 1990, suffered an 18% reduction in the actual funding, based on total government funding available. At the same time, government spending went up by 6%. So you reduce one ministry by 18% and you increase your overall spending by 6%. You don't have to be a rocket scientist to figure out that Agriculture and Food is not a very high priority of this government at this time. It's fairly simple.

We're down to 82% of what the funding was, based on the total government spending in 1990. But what's even more disturbing is that many of the good programs that had been part of the Ministry of Agriculture, Food and Rural Affairs over a number of years have been allowed to run out and have not been replaced—the land stewardship program, as an example. That was an excellent program. An NDP government which had always prided itself on being very, very high on land stewardship, which is conservation, which is environmentally friendly, let that program run out. They froze the farm tax rebate. Taxes are going up, yet the farm tax rebate has been

frozen. The beef improvement program was eliminated. The dairy inspection branch of the Ministry of Agriculture, Food and Rural Affairs has been cut by two thirds.

The other thing that worries me: I come from that area south of Ottawa, and Ottawa has a National Hockey League team. We're proud of them even if they don't win very many games. What can I tell you?

Mr Cooper: Except against Montreal.

Mr Villeneuve: Montreal's a little better, but then of course they're not there either right now. However, that's beside the point.

What got me very disturbed was that this government spent several million dollars fighting the location of the projected Ottawa Palladium. Several million dollars were spent to try to prevent private developers from going to the west end of Ottawa and putting up a hockey arena. That money was coming from the Ministry of Agriculture, Food and Rural Affairs.

I have a great problem when I see areas in eastern Ontario—and I'm pretty biased towards eastern Ontario, but there are areas where the land is not that good. It's not class 1, 2, 3 or 4 agricultural land. We see applications for severances. We see many commonsense things that are being requested.

Interjection: What's the reason they're being requested?

Mr Villeneuve: They're being requested because it fits in good with the rural municipalities. They need the increased tax assessment, Madam Speaker. You would understand that, I'm sure.

1730

However, we find in many instances the municipality agrees that—

Mr Klopp: What's this got to do with Bill 91?

Mr Villeneuve: It's all to do with Bill 91. It's all government regulation and it's directly and indirectly involving the Ministry of Agriculture, Food and Rural Affairs, Bill 91, which should be under the Ministry of Agriculture, Food and Rural Affairs. It's in the wrong ministry to start with, but that's neither here nor there. The parliamentary assistant from Kitchener-Wilmot I'm sure will take note of some of the things that are said and for the rest of their period in government would attempt to meet the requirements of Ontario's agriculture, food and rural areas.

I go back to taking moneys from a ministry that's been cut 18%, yet they're spending several million dollars fighting a development for their ideology, political correctness. I hope someone comments on that when this is over. These are the problems that I find very difficult.

The Ministry of Municipal Affairs has now decided it needs \$5,000 or \$6,000 for any sort of a development out in rural Ontario. I know this has nothing to do with this bill, but these are things that are being imposed on the people who live in that portion of Ontario called rural Ontario and it's a problem. It's a major problem.

We will insist that when this bill reaches the committee stage, and I certainly hope it will go to the committee stage, I say to the parliamentary assistant and he—

Mr Cooper: It has to, for the amendments.

Mr Villeneuve: Very good, and hopefully it will be after going out to rural Ontario and getting the ear of the good folks who are out on the land today trying to finish up the seeding. As it hopefully will, the government majority will not steamroller over the committee and say, "Look, we want it this way."

Let's allow some input, hopefully for the short duration that Bill 91 will be law here in the province of Ontario. Bill 91 only pretends to recognize the unique aspects of agriculture. It will still come under the Ministry of Labour, which is the wrong ministry, which knows very little about agriculture and, in most instances, is incapable of understanding the major problems that occur out in rural Ontario.

I want to mention this to the parliamentary assistant, because he's a very good friend of mine; he's a very approachable fellow. These are apprenticeships that are not necessarily involved with agriculture, but I've had employers who've sent their employees on an apprenticeship program. Do you know the first thing they teach these apprentices? All of their rights and benefits; nothing to do with the work they're supposed to be apprenticing, but what the employer owes the employees. That's the first thing they teach them and sometimes they even stretch. These people come back; hopefully, they've acquired some knowledge about mechanical work, or whatever, but they sure are well indoctrinated on their rights and what the employer owes them.

To me, that's got the horse at the wrong end of the cart, but that's what's happening. I hope the parliamentary assistant looks into that. Yes, they need to know that, but not the first thing they learn when they go into an apprenticeship training program.

I want to go back a few years when my friends from the Liberal Party were the government. They gave a good deal of lipservice to agriculture, but the real truth was that they had the man from Huron, Jack Riddell, as their minister for a number of years. You know what happened to him? He went out to Regina one day on business to do with the government of Ontario and representing Ontario agriculture. He got a phone call from the then Premier, Mr Peterson, who said: "Jack, you're not a bad fellow but you're no longer the minister. You'll have to turn over your portfolio to your deputy minister who is with you, and you don't represent Ontario agriculture any more."

I had a little difficulty accepting that. We were not of the same political beliefs, but I thought that was a rather shabby way for a government and a Premier to treat the Minister of Agriculture. He replaced his Minister of Agriculture at that time with another minister, the member for Timiskaming, who was elected, believe it or not, as a socialist back in 1985 and then, for whatever reason, went across the floor and became the Liberal Minister of Agriculture and Food, which was a very interesting scenario.

Mr Bisson: We used to joke that he was a Liberal.

Mr Villeneuve: My friend the member for Cochrane South says they used to joke that he was a Liberal. It turned out that wasn't a joke at all.

I want to touch on some other problems that we touched on—I didn't have a lot of time—during private members' hour last week. It has to do with what's very annoying and, to me, very alarming. It came out of Farm and Country. As I mentioned at that time, it's not the political rhetoric that we sometimes get in here, and let's face it, those are the realities of life. The heading under "Crops" says, "Labour Laws Derail Vital Grain Arteries."

This has to do with Bill 40, and Bill 91 is part of Bill 40. It has to do with successor rights on short-run rail lines. I think there's a travesty in the making here. If these rail lines wind up being closed down, rural Ontario and agriculture will suffer. At the same time as the agricultural budget is now less than 1%—many people in rural Ontario seem to think that the Minister of Agriculture, Food and Rural Affairs has a tremendously large budget, but the operating budget for the ministry is 0.97%; that's how important this ministry is right now. But on the rail lines, crop prices will fall as farmers become captive of local grain markets, and plants for new ethanol production facilities may well go by the wayside. We may not even be able to build those if we don't have the short rail lines that right now provide good, inexpensive methods of moving grain to the main lines, to the water terminals and to the United States.

Farm groups think their best hope lies in convincing the pro-labour provincial NDP government to scrap a piece of its toughest labour legislation. It goes without saying. As we debated the merits and otherwise of Bill 40, the labour law, in this very chamber, we heard minister after minister tell us, "The province of Quebec has labour laws in place very similar to Bill 40, and it creates no problem at all."

Indeed the province of Quebec—and I certainly am not one who agrees with a lot of the things that happen there—developed a provincial railway act. I want to touch on it just a little, because two of the Canadian provinces that have those are Quebec and Nova Scotia. They've developed their own provincial railways act.

The Quebec railway act was implemented in December last year because some short-run rail lines in the province have been purchased by the private sector, and they were not going to be purchased by the private sector if successor rights stayed in place. It was fairly simple. To circumvent that, they amended their labour laws to allow short rail lines to operate without having the rather difficult situation of successor rights.

We have in the riding I represent the same problem with some very fine waterfront property along Lake St Francis and along Lake St Lawrence. We have some parks that have been closed down and are not being leased back to the private sector simply because of this famous problem with successor rights.

The Acting Speaker: Could I ask the member to return to Bill 91, please?

Mr Villeneuve: Bill 91 and Bill 40 are all part of it. It's successor rights. This is the problem that other provinces have recognized, the area of concern that affects the economy, affects jobs. Yet we're taking Agriculture, which has less than 1% of the provincial budget, and we're imposing labour laws.

The initial amendment that I read says, "It is in the public interest to extend collective bargaining rights to employees and employers in the agriculture and horticulture industries." I don't know where they get that "It is in the public interest." It is not in the public interest unless they want to drive farmers right off the land. If it's in the public interest, you would not keep on reducing the amount of the budget for Agriculture, Food and Rural Affairs and yet impose more demands on financial requirements and on labour laws.

1740

Bill 91, if the need for such legislation can ever be proven—and I personally don't think it can—has to be completely separated from the Ministry of Labour. I do not think Ministry of Labour officials have the wherewithal to deal with the problems they will be faced with in rural Ontario, in food production areas.

I can go back to the city of Cornwall, which had a settlement imposed through binding arbitration on their firemen, who could not go on strike. And this is what we're talking about here: binding arbitration. They got a retroactive increase in salary of some 13%. The city of Cornwall couldn't afford it, but the binding arbitration deal came down, I believe in 1991, and created havoc within the financial structure of a city that was struggling.

There's been no study of the impact of this bill on Ontario's food security or our ability to compete with other jurisdictions. This is becoming more and more important. We have to be competitive in a very competitive world. We have the free trade agreement, we have the North American free trade agreement, we have the wherewithal to be competitive, but we've got to let business do it, not stand in its way. We do not know how many jobs this particular legislation will cost or how many farms it will drive out of business or how many enterprises will put off expansion, but we do know from speaking to the rural agricultural community that it will be mechanizing more and more. They have no choice, because this type of labour law is forcing them into it. It is one of two decisions: "We either mechanize or we sell out."

This government has seen fit in its expenditure control plan to shut down two agricultural colleges, along with a number of other program cuts, such as the tobacco adjustment, the agricultural investment strategy and the Farm-Start program. I can tell you, the Farm-Start program was welcomed by the young people in rural Ontario who were taking up agriculture and taking up farming. Right now, there is no program whatever to assist to bring new blood into the agricultural field, into the food production field. Bill 91 will certainly see to it that it continues that way.

I believe the Minister of Municipal Affairs made a statement today on the Sewell report. This again, in my opinion, is additional intervention, rules, regulations and roadblocks that will be in the way of agricultural food producers.

The designation of wetlands: If there is anything that has roused the ire of rural Ontario, it's the designation of some of their land into class 1 and class 2 wetlands with the owners not realizing what was happening. Once these

lands, and they are privately owned, are designated as wetlands, there's no compensation, and what occurs is that it limits drastically the use of the lands. It's my understanding that to cut a tree on what is designated as class 1 or 2 wetland, you have to get permission from some higher authority. Property rights are being eroded completely.

When we're in the production of food, I can tell you, if there's a dispute between a farmer and his staff, it's not about to be settled through amiable, nice ways. When the crop is ready, the rush is on, and there are negotiations that occur at that time under very major stress and strain. If this government thinks that because there is labour legislation covering agriculture and food production, all those settlements will be done in a very friendly and amiable way, I believe it has a rude awakening coming.

The consultations the government has talked about are the kinds of consultations that one has when there's a gun held to one's head. That's basically what we've been told: "If you don't put in special legislation for agriculture, then Bill 40 kicks in," and Bill 40 would be an absolute travesty to the food production sector.

This softens Bill 40 a little, but it's an addendum to Bill 40. It's a separate bill, but it is an addendum based on Bill 40, and you refer to Bill 40 for most of what's in Bill 91. Bill 91 has the exclusions and some softening of Bill 40 for the food production sector. I'm glad that the parliamentary assistant is nodding in the affirmative and very much paying attention.

The representatives from the agricultural community who have taken part in the process should be congratulated, because they went to the table, quite reluctantly but with no choice—they had to go—or Bill 40 would have been theirs to have to work with and under. These people were told that there would be legislation because the NDP wanted it, and that the government felt through the goodness of its heart that indeed producers of food were different.

Yet in this very first amendment—and I couldn't get over it when I saw it, and it was as big as life—"it is in the public interest to extend collective bargaining rights to employees and employers in the agricultural and horticultural industries." I can't accept that and I won't accept it, but the government has a majority here and if they say it I guess we have to accept it, but it certainly is not my perception of agriculture and food production.

The government's special-interest groups wanted it. The deal was made in the back room and it was a take it or leave it: "If you don't want to work under Bill 40, you'd better accept Bill 91."

Ontario agriculture was never asked to look into the need for such legislation in the first place. They were told that the legislation would come and that they would be consulted, and they have been; I give the government credit for that. Yet the legislation still comes from the upper echelons, and with 25 amendments, I think we should redraft the bill under a new number. Time is not of essence on this one. There is no hurry to put this one through, and I tell you that with full agreement of I believe everybody on this side.

This bill creates more regulations and more red tape, when the government should be cutting regulations and certainly cutting red tape.

I want to touch on a document recently produced by the Progressive Conservative Party of Ontario, called the Common Sense Revolution. It has no cuts to agriculture, regardless of what anyone says, and I have perused it very carefully. As a matter of fact, I have had some say in its production. Agriculture has already suffered an 18% reduction in the last three years. We have no cuts to agriculture, and in the opinion of this party, agriculture is the number one industry in the province. It's not number two, as the Liberals say; it's number one.

I believe the government really thought this legislation and red tape was important to appease its union friends. Somehow or other, we've noticed that since the social contract—Madam Speaker, you may have noticed it too—they've gone out of their way to be pleasant to their union folks, and I suppose I understand that, because they are their real sympathizers. However, I think they have a long way to go to get back the support they had prior to the social contract. I know this legislation does not have any bearing on the social contract or what have you, but Bill 91 does create a situation where agriculture has to work in a kind of vacuum.

1750

Do you know of any other industry that buys retail and sells wholesale? Well, that's agriculture. You buy at the retail level, and when you sell—you're the basic producer—you're selling at the very lowest price. When you hear the farm-gate price of any commodity, by the time you get it on the shelf at the food store or wherever, you have in many instances tripled or quadrupled the value of the basic elements, the basic commodity at the farm gate. From then on, it's all the way up and the farmer has very little say, except for those who have marketing boards. Yet marketing boards have been using the kind of formula that has been accepted, and it returns a return on the investment. But for those who are not under supply management, there is no return on the investment unless they are able to go to the marketplace for it. I want everyone here to realize that agriculture is the only industry where you buy retail and you sell wholesale. This government has basically overlooked the real situation, where farmers have very little say, outside of those in supply management, about what their product is going to fetch on the market.

The government believes that farmers and business can absorb an ever-increasing burden of government interference, regulation and costs, and that you pass it on. Agriculture cannot pass on costs. They have to go to the market for what that bushel of apples, that bushel of corn, that bushel of grain will sell for. They have to go to the market, and if the market will not pay, they're left with it. What do you do with it? You do what you want with it, but it will perish, so there's a problem. When the tomatoes are ready on the vine, you've got to go get them, you've got to bring them in and you've got to put them to market. That's the way it is. That's the nature of the business.

That's why, whenever I go back to the very first

amendment and it says, "It is in the public interest to extend collective bargaining" to agriculture, it doesn't add up and it doesn't make sense. This government is living in a dream world, Alice in Wonderland. Of course, if they live in this dreamland long enough and repeat it to themselves long enough, they start believing it.

Mr David Winninger (London South): And you're the Mad Hatter, I guess.

Mr Villeneuve: No, I don't believe so at all. You're referring probably to someone within your own caucus.

It is living in this urban dreamland that has created this kind of illusion. Look at the agricultural budget, and I touched on that a while ago: down a little more than 18% in three years, and yet total government spending is up in those same three years by more than 6%.

There's a real message there. You cannot continue imposing on agriculture these costs and these road barriers and expect that it will be able to continue as the number one industry in this province. It certainly tells you that the government does not understand the importance of the food production sector.

I have a great deal of respect for my friend the Minister of Agriculture, Food and Rural Affairs, but he is a very lonely voice at that cabinet table. I have wished I could be there to help him from time to time. I'm quite sure that the parliamentary assistant here from Kitchener-Wilmot—he's a big boy—might be able to help him a little too. However, I'm not sure this is going to work, because we are dealing with very limited government dollars.

I've said it many times: an 18% cut in three years to the Ministry of Agriculture, Food and Rural Affairs. If every other ministry in this government had gone through the same reduction, we would have no deficit. We would be balancing the budget, and we might even have some surplus. However, that is not the case.

Interjection: And we'd be putting lots of people out of work.

Mr Villeneuve: As a matter of fact, it might just create a lot of jobs if you stopped interfering with them.

If overall government spending had only been cut by half of what agriculture suffered, we would be dealing with a \$3-billion to \$4-billion deficit instead of being, as the Fraser Institute has said, the most indebted society per capita in North America. That is a very alarming situation. We still have some control on the spending, and we had better take those controls and do something about it before we lose the control and someone else tells us we have to do it. Bill 91 is not helping that situation at all.

Last year, Ontario became Canada's main food-exporting province. We exported \$3.6 billion worth of agricultural and food commodities in processed, semi-processed and raw form. Our exports increased by \$1.2 billion last year. What is most interesting is something that NDP thinking, or even the previous government, Liberal thinking, does not allow. Of that \$1.2-billion increase, almost all of it, \$1 billion, was due to increased exports where? To the United States of America, partly, if not fully, because of a free trade agreement, where we have taken down some of the barriers. Yet I still hear some of

my colleagues on the government side finding fault with the free trade agreement. We cannot isolate ourselves. We are an exporting country and we can produce food here. Give us the opportunity of selling it.

Mr Winninger: We can lose jobs too.

Mr Villeneuve: The member for London South says, "We can lose jobs." Bill 91 is a job killer. Bill 40 is a job killer.

NDP thinking says: "This is impossible. We have to live in a protected world." The Minister of Labour says: "It's impossible. We've got to protect the workers in the agricultural sector." David Peterson and even the Liberal leader also say it's impossible. It was good to see that they had changed their tune to some degree, but as I told you when I started this participation in the debate, the Liberals are saying a lot of "Me too" these days. It's "Me too" to some of the studies that were done by the Progressive Conservative Party of Ontario. There's a lot of "Me too" over there. I would like the government to say "Me too" on Bill 91, and let's get rid of it.

It's surprising that the Ministry of Agriculture, Food and Rural Affairs was allowed to put out a short, factual news release about a number of things which particularly refers to a \$3.6-billion increase in our exports totally, with more than \$1.2 billion going to the United States. I know the minister, and he's here with us right now, would not be one to try to misrepresent the facts. The

facts are there, and I give him credit. He put them forth and that's the way it should be. But Bill 91 will not help that situation.

The NDP are doing their best to make us less competitive, and I'm not quite sure what its reasons are. Surely we have enough difficulty living in this very cold climate, with a frost-free period, at least in my area, from May 15 to September 15. That's pretty short. To get your crops produced and mature in that short period, you've got to do things that are right and you've got to be competitive.

The time is getting short, Madam Speaker. The NDP is trying to tell the public of Ontario that Bill 91 is good for them. The preamble—and I'll close this part of the debate by repeating it—I can't agree with. It says, and I want the minister to hear this, "It is in the public interest to extend collective bargaining rights to employees and employers in the agriculture and horticulture industries." That is absolutely not correct. I do not think you would have 2% of the farmers who would agree to that, Mr Minister, but it's in the preamble and it's an amendment to Bill 91.

Madam Speaker, I believe the time has come to call this House a day for today.

The Acting Speaker: It being almost 6 of the clock, this House stands adjourned until tomorrow at 10 am.

The House adjourned at 1800.

ERRATUM

No.	Page	Column	Line	Should read:
131	Contents	2	28	Mental health services Mr Ruprecht 6357

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD
Speaker/Président: Hon/L'hon David Warner
Clerk/Greffier: Claude L. DesRosiers
Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux: Alex D. McFedries
Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités: Deborah Deller
Sergeant at Arms/Sergent d'armes: Thomas Stelling

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma	Wildman, Hon/L'hon Bud (ND) Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Énergie, ministre délégué aux Affaires autochtones	Grey-Owen Sound	Murdoch, Bill (PC)
Algoma-Manitoulin	Brown, Michael A. (L)	Guelph	Fletcher, Derek (ND)
Beaches-Woodbine	Lankin, Hon/L'hon Frances (ND) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce	Halton Centre/-Centre	Sullivan, Barbara (L)
Brampton North/-Nord	McClelland, Carman (L)	Halton North/-Nord	Duignan, Noel (ND)
Brampton South/-Sud	Callahan, Robert V. (L)	Hamilton Centre/-Centre	Christopherson, Hon/ L'hon David (ND) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Brant-Haldimand	Eddy, Ron (L)	Hamilton East/-Est	Mackenzie, Hon/L'hon Bob (ND) Minister of Labour / ministre du Travail
Brantford	Ward, Hon/L'hon Brad (ND) Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances	Hamilton Mountain	Charlton, Hon/L'hon Brian A. (ND) Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et ministre délégué à l'Assurance-automobile
Bruce	Elston, Murray J. (L)	Hamilton West/-Ouest	Allen, Hon/L'hon Richard (ND) Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce
Burlington South/-Sud	Jackson, Cameron (PC)	Hastings-Peterborough	Buchanan, Hon/L'hon Elmer (ND) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Cambridge	Farnan, Hon/L'hon Mike (ND) Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation	High Park-Swansea	Ziamba, Hon/L'hon Elaine (ND) Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiles, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Carleton	Sterling, Norman W. (PC)	Huron	Klopp, Paul (ND)
Carleton East/-Est	Morin, Gilles E. (L)	Kenora	Miclash, Frank (L)
Chatham-Kent	Hope, Randy R. (ND)	Kingston and The Islands / Kingston et Les Îles	Wilson, Gary (ND)
Cochrane North/-Nord	Wood, Len (ND)	Kitchener	Ferguson, Will (Ind)
Cochrane South/-Sud	Bisson, Gilles (ND)	Kitchener-Wilmot	Cooper, Mike (ND)
Cornwall	Cleary, John C. (L)	Lake Nipigon/Lac-Nipigon	Pouliot, Hon/L'hon Gilles (ND) Minister of Transportation, minister responsible for francophone affairs / ministre des Transports, ministre délégué aux Affaires francophones
Don Mills	Johnson, David (PC)	Lambton	MackKinnon, Ellen (ND)
Dovercourt	Silipo, Hon/L'hon Tony (ND) Minister of Community and Social Services / ministre des Services sociaux et communautaires	Lanark-Renfrew	Jordan, Leo (PC)
Downsview	Perruzza, Anthony (ND)	Lawrence	Cordiano, Joseph (L)
Dufferin-Peel	Tilson, David (PC)	Leeds-Grenville	Runciman, Robert W. (PC)
Durham Centre/-Centre	White, Drummond (ND)	Lincoln	Hansen, Ron (ND)
Durham East/-Est	Mills, Gordon (ND)	London Centre/-Centre	Boyd, Hon/L'hon Marion (ND) Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
Durham West/-Ouest	Wiseman, Jim (ND)	London North/-Nord	Cunningham, Dianne (PC)
Durham-York	O'Connor, Larry (ND)	London South/-Sud	Winninger, David (ND)
Eglinton	Poole, Dianne (L)	Markham	Cousens, W. Donald (PC)
Elgin	North, Peter (Ind)	Middlesex	Mathysen, Irene (ND)
Essex-Kent	Hayes, Pat (ND)	Mississauga East/-Est	Sola, John (Ind)
Essex South/-Sud	Crozier, Bruce (L)	Mississauga North/-Nord	Offer, Steven (L)
Etobicoke-Humber	Henderson, D. James (L)	Mississauga South/-Sud	Marland, Margaret (PC)
Etobicoke-Lakeshore	Grier, Hon/L'hon Ruth (ND) Minister of Health / ministre de la Santé		
Etobicoke-Rexdale	Philip, Hon/L'hon Ed (ND) Minister of Municipal Affairs, minister responsible for the office for the greater Toronto area / ministre des Affaires municipales, ministre responsable du Bureau de la région du grand Toronto		
Etobicoke West/-Ouest	Stockwell, Chris (PC)		
Fort William	McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition		
Fort York	Marchese, Rosario (ND)		
Frontenac-Addington	Wilson, Hon/L'hon Fred (ND) Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga West/-Ouest	Mahoney, Steven W. (L)	St Andrew-St Patrick	Akande, Zanana L. (ND)
Muskoka-Georgian Bay	Waters, Daniel (ND)	St Catharines	Bradley, James J. (L)
Nepean	Daigeler, Hans (L)	St Catharines-Brock	Haeck, Christel (ND)
Niagara Falls	Harrington, Margaret H. (ND)	St George-St David	Murphy, Tim (L)
Niagara South/-Sud	Coppen, Hon/L'hon Shirley (ND) Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs	Sarnia	Huget, Bob (ND)
Nickel Belt	Laughren, Hon/L'hon Floyd (ND) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony (ND)
Nipissing	Harris, Michael D. (PC)	Scarborough-Agincourt	Phillips, Gerry (L)
Norfolk	Jamison, Norm (ND)	Scarborough Centre/-Centre	Owens, Stephen (ND)
Northumberland	Fawcett, Joan M. (L)	Scarborough East/-Est	Frankford, Robert (ND)
Oakville South/-Sud	Carr, Gary (PC)	Scarborough-Ellesmere	Warner, Hon/L'hon David (ND) Speaker / Président
Oakwood	Rizzo, Tony (ND)	Scarborough North/-Nord	Curling, Alvin (L)
Orillia	Caplan, Elinor (L)	Scarborough West/-Ouest	Swarbrick, Hon/L'hon Anne (ND) Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Oshawa	Pilkey, Hon/L'hon Allan (ND) Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales	Simcoe Centre/-Centre	Wessinger, Paul (ND)
Ottawa Centre/-Centre	Gigantes, Hon/L'hon Evelyn (ND) Minister of Housing / ministre du Logement	Simcoe East/-Est	McLean, Allan K. (PC)
Ottawa East/-Est	Grandmaître, Bernard (L)	Simcoe West/-Ouest	Wilson, Jim (PC)
Ottawa-Rideau	O'Neill, Yvonne (L)	Sudbury	Murdock, Sharon (ND)
Ottawa South/-Sud	McGuinty, Dalton (L)	Sudbury East/-Est	Martel, Hon/L'hon Shelley (ND) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Ottawa West/-Ouest	Chiarelli, Robert (L)	Timiskaming	Ramsay, David (L)
Oxford	Sutherland, Kimble (ND)	Victoria-Haliburton	Hodgson, Chris (PC)
Parkdale	Ruprecht, Tony (L)	Waterloo North/-Nord	Witmer, Elizabeth (PC)
Parry Sound	Eves, Ernie L. (PC)	Welland-Thorold	Kormos, Peter (ND)
Perth	Haslam, Karen (ND)	Wellington	Arnott, Ted (PC)
Peterborough	Carter, Jenny (ND)	Wentworth East/-Est	Morrow, Mark (ND)
Port Arthur	Wark-Martyn, Hon/L'hon Shelley (ND) Minister without Portfolio, Ministry of Health / ministre sans portefeuille, ministère de la Santé	Wentworth North/-Nord	Abel, Donald (ND)
Prescott and Russell / Prescott et Russell	Poirier, Jean (L)	Willowdale	Harnick, Charles (PC)
Prince Edward-		Wilson Heights	Kwinter, Monte (L)
Lennox-South Hastings/	Johnson, Paul R. (ND)	Windsor-Riverside	Cooke, Hon/L'hon David S. (ND) Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main-d'œuvre
Prince Edward-Lennox-		Windsor-Sandwich	Dadamo, George (ND)
Hastings-Sud		Windsor-Walkerville	Lessard, Wayne (ND)
Quinte	O'Neil, Hugh (L)	York Centre/-Centre	Sorbara, Gregory S. (L)
Rainy River	Hampton, Hon/L'hon Howard (ND) Minister of Natural Resources / ministre des Richesses naturelles	York East/-Est	Malkowski, Gary (ND)
Renfrew North/-Nord	Conway, Sean G. (L)	York Mills	Turnbull, David (PC)
Riverdale	Churley, Hon/L'hon Marilyn (ND) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	York-Mackenzie	Beer, Charles (L)
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Noble (PC)	York South/-Sud	Rae, Hon/L'hon Bob (ND) Premier, President of the Executive Council, Minister of Inter-governmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
		Yorkview	Mammoliti, George (ND)

CONTENTS

Wednesday 18 May 1994

MEMBERS' STATEMENTS

Rural Ontario	
Mr Cleary	6387
Young offenders	
Mrs Marland	6387
Missing children	
Ms Harrington	6387
Mr Bradley	6388
Mr Jackson	6388
Community recreation funding	
Mr Crozier	6387
Control of smoking	
Mr Runciman	6388
Tourism Awareness Week	
Mr Gary Wilson	6388
Progressive Conservative Party plan	
Mr Mills	6389

STATEMENTS BY THE MINISTRY AND RESPONSES

Land use planning	
Mr Philip	6389
Mr Eddy	6391
Mr David Johnson	6392
Workers' compensation	
Mr Mackenzie	6390
Mr Mahoney	6391
Mrs Witmer	6392

ORAL QUESTIONS

Purchase of land	
Mr Conway	6392
Ms Lankin	6392
Mr Runciman	6394
Mr Laughren	6395
Emergency services	
Mr Conway	6393
Mrs Grier	6393
Jobs Ontario Training	
Mrs Cunningham	6395
Mr Cooke	6395
Financial procedures	
Mr Phillips	6396
Mr Laughren	6396
Pension funds	
Mr David Johnson	6397
Mr Charlton	6397
Forest industry	
Mr Bisson	6398
Mr Hampton	6398
Agricultural labour policy	
Mrs Fawcett	6399
Mr Buchanan	6399
Victim fine surcharge	
Mr Jackson	6399
Mrs Boyd	6400
Summer Experience wage assistance program	
Mr Abel	6400
Mr Buchanan	6400

Social contract

Mr Beer	6400
Mr Laughren	6401

PETITIONS

Firearms safety	
Mr Miclash	6401
Mr Bisson	6404
Sexual orientation	
Mr Cousens	6401
Tobacco packaging	
Mr Martin	6402
Mr Murphy	6402
Mr Sola	6402
Mr Conway	6403
Native hunting and fishing	
Mr Hodgson	6402
Niagara Escarpment	
Mr Duignan	6402
Gambling	
Mr Bradley	6402
Mr Beer	6403
Capital funding for schools	
Ms Akande	6402
Emergency services	
Mrs Mathysen	6403
Sale of ammunition	
Mr Bradley	6403
Motorcycle and snowmobile insurance	
Mr Duignan	6403

REPORTS BY COMMITTEES

Standing committee on social development, Mr Beer	
Mr Beer	6404
Report adopted	6404
Standing committee on regulations and private bills, Ms Haeck	
Ms Haeck	6404
Report adopted	6404

FIRST READINGS

Town of Picton Act, 1994, Bill Pr112,	
Mr Paul Johnson	6404
Agreed to	6404
County of Bruce Act, 1994, Bill Pr115,	
Mr Elston	6404
Agreed to	6404
Budget Measures Act, 1994, Bill 160	
Mr Laughren	6404
Agreed to	6404
Revenue and Liquor Licence Statute Law Amendment Act, 1994, Bill 161,	
Mr Laughren	6404
Agreed to	6405

Planning and Municipal Statute Law Amendment Act, 1994, Bill 163,

Mr Philip	6405
Agreed to	6405
City of Toronto Act, 1994, Bill Pr79,	
Ms Akande	6405
Agreed to	6405
Workers' Compensation and Occupational Health and Safety Amendment Act, 1994, Bill 165,	
Mr Mackenzie	6405
Agreed to	6405

SECOND READINGS

Agricultural Labour Relations Act, 1993, Bill 91, Mr Mackenzie	
Mr Mackenzie	6405
Mr Cleary	6406, 6416
Mrs Fawcett	6409
Mr Klopp	6414
Mr Villeneuve	6415, 6416
Ms Haek	6415
Mr Cooper	6415
Erratum	6421

TABLE DES MATIÈRES

Mercredi 18 mai 1994

PREMIÈRE LECTURE

Loi de 1994 sur les mesures budgétaires, projet de loi 160,	
M. Laughren	6404
Adoptée	6404
Loi de 1994 modifiant diverses lois fiscales et la Loi sur les permis d'alcool, projet de loi 161,	
M. Laughren	6404
Adoptée	6405
Loi de 1994 modifiant des lois en ce qui concerne l'aménagement du territoire et les municipalités, projet de loi 163, M. Philip	6405
Adoptée	6405
Loi de 1994 modifiant la Loi sur les accidents du travail et la Loi sur la santé et la sécurité au travail, projet de loi 165, M. Mackenzie	6405
Adoptée	6405

DEUXIÈME LECTURE

Loi de 1993 sur les relations de travail dans l'agriculture, projet de loi 91,	
M. Mackenzie	6405
Débat ajourné	6421

C420N
X1
-D23

Government
Publications



No. 133

N° 133

ISSN 1180-2987

**Legislative Assembly
of Ontario**

Third Session, 35th Parliament

**Assemblée législative
de l'Ontario**

Troisième session, 35^e législature

**Official Report
of Debates
(Hansard)**

Thursday 19 May 1994

**Journal
des débats
(Hansard)**

Jeudi 19 mai 1994



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers

50th anniversary

1944–1994

50^e anniversaire

Hansard is 50

Hansard reporting of complete sessions of the Legislative Assembly of Ontario began on 23 February 1944 with the 21st Parliament. A commemorative display may be viewed on the main floor of the Legislative Building.

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats a 50 ans

Le reportage des sessions intégrales de l'Assemblée législative de l'Ontario, fait par le Journal des débats, a commencé le 23 février 1944 avec la 21^e législature. Une exposition pour marquer cet événement est étalée au premier étage de l'Édifice du Parlement.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 19 May 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 19 mai 1994

The House met at 1002.

Prayers.

PRIVATE MEMBERS' PUBLIC BUSINESS RECALL PROCESS

Mr Cousens moved private member's notice of motion number 41:

That, in the opinion of this House, recognizing that recall provides citizens with the opportunity to exercise accountability over their elected officials; and

Since other jurisdictions in Canada are exploring the recall option in their provincial legislatures; and

Since evidence from other jurisdictions outside of Canada indicates that recall is rarely abused; and

Since the recall process should explore the ethical criteria for recall of an elected officer; and

That the process in which to initiate the recall process may involve a review of several checks and balances that could be ascertained by further guidance from legislative officials and the public,

The standing committee on the Legislative Assembly be required to develop a recall process for consideration by the Legislature and to present their recommendations and options to the Legislative Assembly by the spring session in 1995.

The Acting Speaker (Mr Noble Villeneuve): The honourable member will have 10 minutes to open debate, after which all recognized parties will have 15 minutes to participate in the debate and then the honourable member for Markham will have two minutes in summation.

Mr W. Donald Cousens (Markham): This resolution may be called the recall resolution or the Bhaduria resolution.

Jag Bhaduria has been elected as the MP for the riding of Markham-Whitchurch-Stouffville, which overlaps my riding 100%. Mr Bhaduria is a charlatan, and if you want to see someone who is a specialist in deception and manipulation, he has certainly done it to the people of Markham-Whitchurch-Stouffville. He has hurt his riding. He has hurt the immigrant population. He has offended Canadians from coast to coast. He has destroyed the confidence of his own constituents. The people of Markham feel betrayed.

Today I would like to find a way that if such a person or such a candidate were to come to the Ontario Legislature, we would have some process by which to deal with it.

Let me deal with Mr Bhaduria's situation before he was elected. Federal Liberal fortunes were rising, certainly across the country. A month before October 25, few would have forecast that the Liberals would sweep Ontario the way they did, but it was all-important for the

Liberals to win Ontario over. They would not gamble and take a chance of exposing Mr Bhaduria for who he was. They did not want to appear bigoted, I suppose. What happened is that Mr Chrétien and senior Liberals did know there were problems with Mr Bhaduria, but it was time for damage control. They didn't want to take a chance of upsetting the apple-cart.

Mr Bhaduria ran as a management consultant, so the public had no idea that he had been a teacher a few years before. The party did know that Mr Bhaduria had certain things in his background and certainly was not prepared to act on them.

After he was elected, I have to look at the way the federal Liberals dealt with the situation. There isn't any doubt that they handled it in a very special way. They gave him forgiveness over the poison-pen letters, and then they found a reason to remove him from the federal Liberal caucus.

When the Liberals kicked Mr Bhaduria out of caucus, they were seen to be very clean of the whole question. However, if Mr Bhaduria's not good enough for the federal Liberals, why should he be good enough for the people of Markham-Whitchurch-Stouffville?

A coalition of Liberals, Reformers and PCs signed petitions calling for his recall. Over 35,000 signatures were submitted indicating that the community had lost confidence in this person. They requested a judicial review of the matter. This matter has now been referred to a parliamentary committee investigating citizen participation, but the fact of the matter is that the people of Markham-Whitchurch-Stouffville feel they have not been able to have any impact because there is no true process for people to initiate a recall provision.

If such a thing happened in the Ontario House, we could be faced with the same kind of situation, so I'd like to talk about recall and indicate that this becomes a very viable option for our Legislature to look at.

Recall is a procedure which enables voters to remove a public official from office before the end of his or her term. The recall process is initiated by the circulation of a petition among the electorate for signatures. The recall is based on the political theory that voters should retain the right of control over their elected officials.

The United States is one country in the free world that employs a recall procedure: 15 American states provide in their state constitutions for the recall of elected officials at state politics. Eight of these states provide for the removal of all officials while six exclude judges, but it goes to show they have set up a process.

How does recall work? Recall laws in the United States vary in their detail, but all exhibit the following general features. First, voters interested in seeking a recall

must circulate a petition. Second, election officials review the petition within a time period specified in the recall law to determine whether the petition has a requisite number of signatures. Finally, if the election officials determine that the petition has attracted the requisite number of signatures, a recall election is held.

What you're talking about here is a system where different states have found different ways, where different percentages of people will be involved. The signature requirements do vary from state to state and can affect the ability of voters to recall officials. The more stringent the signature requirement, the more difficult it will be for a recall to succeed.

1010

Why would you want a recall? An official can be recalled for any reason, but in the United States, for example, in Michigan, their constitution declares that the sufficiency of any statement of reasons or grounds procedurally required for invoking the recall procedure shall be a political rather than a judicial judgement.

Secondly, they have indicated that in other states, the recall statute requires merely a brief and clear statement of the reason for the recall. The reason must be based upon acts or the conduct of the official.

The third type of recall provision specifies that an official may be recalled only for misconduct. For example, under the Montana recall statute, officials may be recalled for physical or mental lack of fitness, incompetence, violation of oath of office, official misconduct or conviction of felony offences.

Recall has not been used to the disadvantage of people, but it has been used extensively in the United States. Somewhere between 4,000 and 5,000 recall campaigns have been initiated in the United States. About 50% of these have been successful.

I'd like to outline some of the arguments for recall.

The recall provides for continuous accountability of public officials to the electorate. Voters need not wait for the next election to rid themselves of incompetent, dishonest, unresponsive or irresponsible politicians. The threat of a recall compels public officials to remain responsive to the mood and wishes of the electorate.

Second, the recall reduces the influence of special interests and lobbyists on politicians, who are reminded that corruption in office will not be tolerated by an electorate which is empowered to remove them at any time.

Third, the potential use of the recall encourages voters to stay informed about contemporary politics and to monitor the conduct of their politicians. The ability to recall unresponsive officials is an antidote to public apathy and frustration with the political process.

Fourth, the recall provides a safety valve for popular emotions surrounding controversial issues.

This whole issue has been raised in Canada on previous occasions. In fact, in 1935, in a provincial election campaign in Alberta, Social Credit leader William Aberhart promised that if elected, his government would introduce a recall bill. They did, and then when people started gathering around to get rid of Mr Aberhart himself, he had the bill revoked retroactively so that it

stopped the process. So what we have is a situation where recall has been brought in and then moved away.

In 1990, the Social Credit government of British Columbia introduced the Referendum Act, which empowered the provincial cabinet to hold referenda on issues that were deemed of public concern. They came in on October 17 of that year. Some 80% of those voting answered yes to the recall question and only 19% voted no. However, when the Social Credits were defeated, the issue did not proceed in the Legislature. What has happened there is something that has happened in other places: People have talked about it but have not acted on it.

If you look at the public opinion polls today, the public at large is saying, "Politicians, give us—the people—a chance to participate in the electoral process between elections so that if something happens that we lose our confidence, we have a way of starting a process to remove you from office." The people who are stopping that process are the politicians. The public wants it but the politicians aren't willing to put their necks on the line for that.

I'm suggesting, through this bill, that we start that process through a committee of the Legislature that will begin to look at it. It will give the people of Ontario a sense of making their politicians always accountable, so that if someone is elected to office in this House and the people have a concern, they will not have the frustration that the people of Markham-Whitchurch-Stouffville have gone through and endured, and failed in trying to do something about. We have no way of dealing with the member we have in office. In that case, let us find a process provincially, federally, at every level, to see that this can happen. That is the suggestion behind this proposal.

Ms Sharon Murdock (Sudbury): I am pleased to join in the debate today, mostly because it actually forced me—and I have to thank the member for Markham for this; I knew that I did not agree with recall but I didn't know why—to do some research on the subject. As a consequence, I think, in my mind anyway, I can articulate to myself why recall is not the appropriate way to go.

I'm going to quote William Howard Taft from 1913. There has long been a discussion on how the people can have some political control over their representatives, so it's been discussed a lot. The Americans actually have a lot more literature on the subject than we do.

"Recall tends to produce in every public official a nervous condition of irresolution as to whether he should do what he thinks he ought to do in the interests of the public, or should withhold from doing anything, or should do as little as possible in order to avoid any discussion at all."

It's a convoluted way of saying it, but the reality is that I don't know, with a recall hanging over members' heads, whether you would really have people making decisions in terms of what is good for the province, in this case, or whether they would be worrying about whether a special-interest group would be calling them back on whatever and having to deal with that issue.

The charges on recall are interesting, and this is the

other part that really bothers me. They can be assertions of corruption; you never have to prove it, though. They can range from the assertion to the presumption that an official is unrepresentative of his community. How do you determine that? What criteria are used to make that determination? "Unresponsive," "Wasteful," "Indifferent to the responsibilities of the office": These are examples that have been used in the past. How does one make that determination, number one? Number two, who is going to make it?

I think the political theory on which recall is based is that voters should have the right of control over their elected representatives, that the member is not the master but the servant of the constituent. Politically that's true, but the reality is that you have the control at every election time. In our case it's not a set time, it's whenever an election gets called, but at least you know it's never going to be longer than five years unless there's a war.

Recalls are extremely costly to the community and they force a special election. We know that. In most instances, they never require any kind of establishment of truth or even whether there is any merit in misconduct. It is primarily and often entirely a political rather than a judicial procedure.

I know the 15 states the member for Markham referred to use percentages. You have to get 15% of the voters who voted in the last election, or 10% in some cases, which I think is extremely minimal, but 20% to 25% is the average.

There is a problem there too. I'm going to use the federal government as an example rather than provincial, when the Liberals brought in, a number of years ago under Trudeau, the whole issue on abortion. Basically, if recall had been in place at that point, it could have meant that a special-interest group, on the basis of a free vote in the House, which it was, could have gotten the petitions. I have no doubt in my mind that they would have gotten 20% of the people who had voted in the election. They could conceivably have forced a member who had voted in favour or against, whichever the case may be, whatever their wishes were, and caused another election to be called.

I don't think the intent of recall is on whether or not your political views are different. I think really the intent of recall is, in the case of the example used by the member for Markham, anger that you didn't know much of the information before or during an election campaign. But I think there too, there is some responsibility on the voters in this country to find out about their members and take the time to do that. We in this country are very lucky to be able to vote, and unfortunately I think we have taken it for granted. Many people sit back and only when there is an election called pay any attention to what's going on. That is a real shame.

1020

I will not be supporting the bill of the member for Markham. I thank you for allowing me this time. I'm going to stop now because I have other members of my party would like to speak.

Mr Robert W. Runciman (Leeds-Grenville): I don't want to be mean-spirited, but I think the member who just spoke could be, in some respects, a candidate for recall with her own electors. I'm thinking of the situation with the murder of Constable Joe MacDonald some time ago in her own community. A few days after that shooting she got up and made a statement in this House about the Trivial Pursuit run by the Rotary club; not one reference to the screwup of the Ontario parole board, chaired by an NDP appointee, and the fact that this individual was out on the streets to commit murder.

In any event, this is an important initiative undertaken by the member for Markham, who is well known in this House and has significant tenure here in introducing very meaningful and helpful measures into the Legislature in terms of trying to help the people of Ontario. I want to say that I recognize the concerns in his riding in respect to the federal member Mr Bhaduria.

Ms Christel Haeck (St Catharines-Brock): That's a cheap shot.

Mr Runciman: That wasn't a cheap shot; that was a legitimate shot.

Interjection: You should be recalled, sir.

Mr Runciman: Go and ask the people of Sudbury who should be recalled. We'll see how many of you are recalled in the next election. It'll be a very significant number.

I want to talk about the Arizona situation, which is the most recent one in memory, where the governor of Arizona, I believe, was recalled. He had made some very radical comments. He made some disparaging remarks about Martin Luther King Day in the United States and refused to recognize it as part of a national holiday in the state of Arizona. There were a significant number of petitioners who asked for a recall vote, and that individual was, in the subsequent election, removed from office. I think that's an appropriate initiative.

I understand the example used by my colleague the member for Markham—the only example, I gather, in Canada—was of Mr Aberhart, who introduced that kind of legislation and then was the subject of it himself in his own riding and cancelled the legislation.

I guess that's the problem I see, basically, with the Canadian system, where we have the parliamentary system and we don't have a division between the executive and legislative branches, so that quite often we see all of the power vested in the Premier's office or the Prime Minister's office. We see that has occurred essentially in this government. We saw it in the Mulroney government. We're seeing it happen again in the federal government under Mr Chrétien. So that's a difficulty where a Prime Minister, for example, or a Premier can, in an arbitrary way, cancel this kind of initiative against perhaps the wishes of the people of the province or the country or even his own members, because there is so much power under our system vested in the office of the leader of the government.

I think this goes hand in hand with referendum legislation as well, which is an indication of how the people feel about a given issue. I feel very strongly, as I know

the member who's going to speak following me from our party feels very strongly, about referendum legislation so the electorate have an opportunity to speak on very controversial issues.

Too often in the past we've seen all of the three mainstream parties, Conservative, Liberal and NDP, singing from the same hymn-book, whether it's Meech Lake or the Charlottetown accord, very controversial issues like official bilingualism; those kinds of issues where people, ordinary everyday citizens, have heard no one in the legislatures of Canada or the federal House speaking on their behalf because they've been intimidated by party discipline, party whips, and have toed the line because of their own personal ambitions or what have you and have not spoken out on behalf of the people they represent.

There has to be a mechanism available to ordinary citizens to ensure that their representatives are speaking on their behalf, and they shouldn't have to wait four or five years to take action.

We had Mr Svend Robinson, a federal NDP member, talking about how he may be convicted of a crime. I'm not sure if it's obstruction of justice; something to do with a BC logging firm. He said, "I'm not going to leave office if I'm convicted." "The only way I can be removed is if I'm sentenced for up to five years in federal penitentiary. Then I'm removed from office."

Well, it seems to me that's a significant weakness, if someone has to be sentenced to five years in federal penitentiary before he can be removed from office. We could have individuals commit very significant crimes and apparently their electorate cannot have any recourse in terms of removing those individuals from office; significant weaknesses.

We're seeing more populist parties arise in this country, which I think is important, so that these kinds of issues are being raised now in the legislatures and the federal House which were not raised to any significant extent in the past.

I want to again compliment the member for Markham for bringing this issue to the attention of the Legislature. Once again, he's doing a fine job not only representing Markham but the people of Ontario.

Mr David Winninger (London South): I'm certainly pleased as well to rise and debate the resolution before the House today.

It's my perception that the Conservative Party has never been more interested in recall than when they find themselves in opposition, and I noticed with some interest the member for Markham's reference to the US experience with recalls and the fact that 75% of all recalls were at the municipal level; 50% of those were successful. I understand that the member for Markham actually has municipal ambitions and perhaps when he attains his aspirations he may well wish to introduce some kind of amendment to the Election Act that would permit him to be recalled in the same way that Bill Aberhart sought the same conclusion—until he was in office. Once he was in office, as the member for Markham noted—

Mr Randy R. Hope (Chatham-Kent): That was then; this is now.

Mr Winninger: My colleague says, "That was then; this is now."

David Pond, in his very good research paper, indicated that as soon as the recall movement started against Mr Aberhart himself the legislation was introduced by Mr Aberhart retroactive to the day that the recall legislation of Alberta gained royal assent and was successful in staving off recall effort on him.

I can't go on without observing the remarks of the member for Leeds-Grenville in regard to my esteemed colleague from Sudbury who spoke earlier in these proceedings. I think that kind of cheap and tawdry remark has no place in this House. Certainly, we all commiserated with the family of the officer slain in Sudbury, and to somehow link my colleague from Sudbury, whose services to her own constituents are inestimable, with that kind of violent act is totally reprehensible and I'm sure the member from Markham across the floor probably winced when he heard those remarks from the member for Leeds-Grenville.

Suffice it to say that there are many criticisms of recall legislation. I know there is an illusion that recall will somehow make politicians more accountable and responsive, and we need more of that today. We have a system of representative democracy that has served us well ever since it developed from what was direct democracy in ancient Athenian times. But with representative democracy comes a certain responsibility. We have recall, Mr Speaker, as you know. Governments can only serve for a term of up to five years. If the electorate don't like what they've done, then they're subject to recall. The fallacy with recall legislation is this: We elect people to office; we expect them to display leadership; we expect them sometimes, as this government has had to do on several occasions, to make tough decisions. These decisions may not have immediate short-term benefits, although many of them do, but they may be in the nature of sound planning for the future.

If, as my colleague from Sudbury observed, politicians constantly have to look over their shoulder lest the wealthy and privileged interest groups in their constituencies attempt to muster votes to oust them from office, they cannot make the kinds of decisions that they need to make on a daily basis. The reason I say the benefits of recall legislation are illusory is that they don't benefit the average voter. The average voter does not have the resources to go out and collect 20,000 names on a petition. Certainly the wealthy and influential people do, and to enable them to influence governmental decisions in that kind of way I think does not serve democracy well.

1030

I think it's important to note, as the member from Markham didn't, that the report of the Lortie Royal Commission on Electoral Reform and Party Financing, after several years of consultation and several million dollars of spending, came to the conclusion that recall legislation would prevent compromise among regional and special interests within the government; that because we tend to have a high turnover of MPs and MPPs at the provincial and federal level we don't necessarily need recall; that voters tend to be highly influenced by party

leaders and not necessarily by decision-making of the backbenchers; that interest and lobby groups, as I said, can mount very expensive campaigns to oust very responsible politicians from office; and, finally, that successful recall would allow a vociferous minority within a riding to upset a majority that's been arrived at across the province.

In conclusion, and we have one more of my colleagues who wishes to speak, I think that recall legislation is inopportune. It hasn't served those jurisdictions in the US well. In Alberta it was a complete sham. I think the resolution should be defeated.

Mr David Turnbull (York Mills): This is a debate that I'm particularly pleased to join. I agree with elements of what all of the speakers have spoken about. I'm going to support my colleague the member for Markham because I think this is a useful resolution.

The resolution speaks to the fact that we need to refer this matter to a legislative committee for study. Indeed, it's interesting to see that in BC, in the last provincial election, a huge number of the electorate voted in favour of both referenda and recall, and the two issues go together. Under recall, 73.75% of the voters in BC said yes, they wanted recall mechanisms, and 74% of the electorate said, in the last election, that they wanted to have access to citizen-initiated referenda and indeed government-initiated referenda.

This would engage people in direct democracy. There is a strong need to move to direct democracy from our current system of representative democracy because, frankly, there is a great cynicism today, not just in Canada but in all the western world, about the role of politicians and their responsiveness to the people who are our masters. Let us not forget that the electors are our masters.

The problem in debating this undoubtedly is the fact that yes, there is a danger that as long as we have not made the final step to total direct democracy, within our present system an individual member can, to some extent, be held to ransom by the desires of a small, vociferous minority. The evidence in the US would suggest that it is neither exclusively the left nor the right in the political spectrum that is involved in this. There is pretty much a balance with respect to the success of the organizations who move referenda items in the US.

Here we are today with the situation that there is a member of the federal Parliament who is beyond the reach of anything we can do here, but at least we can send a signal out. But that member was elected with patently false representations about his qualifications, and that's very disturbing. There was a very fine member of Parliament representing that area who was swept away in the last election. He was a Conservative, and by every measure all of the people of that riding have agreed that he was a very effective member, a very non-partisan member, somebody who worked very hard for the people of that area. But in the leadership politics that we find we have in Canada, where so much depends on the popularity or the unpopularity of a leader, the tide sweeps somebody away.

I suspect that if an election were held today with the

knowledge that those people in Markham have, the previous member would be re-elected with a massive majority. But that's water under the bridge. The fact is that we have an electorate that is disturbed by the lack of accountability of some of its members.

Surely, we should be doing everything we can to re-establish the confidence of the people in our system. I think the most important move would be to allow for citizen-initiated referenda. Indeed, I introduced a private member's bill some two and a half years ago on this very issue. Mr Speaker, you were in the chair at the time and you will recall it was a tied vote and you cast your ballot and it passed.

But in the ways of this House, the private member's bill disappeared into the ether because the government of the day blocked the movement of that private member's bill into a standing committee, which meant that essentially it was dead, even though it had been passed by this House.

The public want to feel that they have some ownership of the political process between elections. At the moment they don't feel that way. That is why my party has gone out and consulted very, very widely in the last three and a half years with the electorate. But the public has no concrete way of addressing its distaste for individual politicians.

If we were to introduce a system which would allow for the recall of a politician, I would say that we should be very careful that the circumstances under which recall can occur must be very, very strict, so that there cannot be a capricious use of this. Clearly, where there is a violation, lying to the public, then that member should be removed. Where there is any fraud, that member should be removed, and we're not talking about if that member has served five years plus a day in federal penitentiary. We should be able to remove the person expeditiously.

This would allow at least a committee of the Legislature to examine the issue and arrive at a fair way that would allow the safety valves of the electorate to be able to say, "I can affect the outcome of what happens with respect to my local politician," whom they may or may not have elected. But we must set the barrier at which they need to get a number of signatures sufficiently high that we don't get a very small minority essentially black-mailing that member, because I'm mindful of the fact that in times of extreme economic difficulty, such as the time we face now, a member who votes for a very unpopular financial bill which may in fact impact their own riding would be in danger of being swept away under this. We must make sure that allow sufficient latitude for members to vote their conscience and to be able to face the electorate in the next election. But there are clearly circumstances under which members should be removed at an earlier period of time.

I commend my colleague the member for Markham and I hope this passes today so that we can have an opportunity to send it to a committee and at least debate it in an intelligent, open way and allow public input. I am disturbed at the fact that all I get during this debate is constant heckling from the NDP. Clearly, they feel that if they oppose this, they can wash their hands of the fact

that they have done a very poor job in government. They are scared of the implications of what this bill would do.

1040

Mr Gordon Mills (Durham East): I'm pleased to rise this morning to speak to this resolution. I would say right off the bat I think it's crazy, and that's being blunt, but I would also suggest that the member has got something mixed up here. Here he is, he brings this resolution forward to affect the members of this Legislature and he's going to resign his seat and he's going to run for the mayor of Markham.

Mr Bob Huget (Sarnia): Is he campaigning for mayor?

Mr Mills: Yes. He's telling us what to do and then he's bolting off. He says here, "...recognizing that recall provides citizens with the opportunity to exercise accountability over their elected officials." I might suggest to the honourable mayor of Markham that he introduce this legislation as a motion in his council as soon as he's elected and then we can practise what happens in—

Ms Murdock: That's presuming he gets elected.

Mr Mills: If he gets elected; I don't know about that.

In all fairness, let's get serious here. We have followed the British parliamentary system for centuries. It's been the parliamentary system in the mother of parliaments in London, England, it's been the mother of parliaments in the House of Commons in Ottawa, and our role here is also governed by that centuries-old tradition that works, and it's worked for centuries. Why someone would come in here and suggest some crackpot resolution to change a system that has been in operation for centuries in the western world is absolutely beyond me.

This resolution reeks of "those that have got the gold will win." We know that this, coming from that party, is bent upon the ones who have got the money will go out and they will corral special-interest groups to start a recall, and if anything happens that they don't like, they've got the power and they've got the resources, and the common man in the street is left to one side and he can do nothing. I think this is the most dreadful resolution I've ever seen.

Can you imagine a day after an election—and they haven't gotten over the NDP getting elected yet. They're still smarting. They're smarting all over the province. They're smarting in my riding. They can't look me in the face, they're so upset still, and here we are nearly four years down the road. Can you imagine if we got elected and then a group of these people with the money said: "We don't like that. Let's recall that guy now. Let's get rid of him"? It would undermine the whole electoral process because they would have the right to recall someone they didn't like, and that's the basis of what they want. They just want to get rid of the wrong people.

Ms Haack: No merit, right?

Mr Mills: No, there's no merit in it at all. Can you imagine, we would be constantly electioneering. It would be awful. We wouldn't be able to do anything.

Mr Huget: That's what Cousens is doing now.

Mr Mills: Well, we know.

In closing—and I've got nine seconds; seven—I think we should stick with the balanced approach that's tried, true and works in this country and it works all across—we've had Russians come here and ask what we're doing. They want to use us as an example. Crazy.

Mr James J. Bradley (St Catharines): What this resolution is all about, in my view, and with all due respect to my friend from Markham, is the contest for mayor of Markham, essentially. I know my friend is running for mayor of Markham. I'm probably giving him a little publicity now by saying this, but that is what it's all about this morning. It's an interesting initiative. As a politician, I should perhaps compliment him on this particular initiative, if I can use that word, which is used often in the United States.

This is an imposition of American politics on Canada, and that's what it's all about. The difficulty is that in a British parliamentary system it's difficult to apply the American political system to Canada, because it's a system in the United States, as we know, that separates the executive and legislative branches, whereas in Canada the executive and legislative branches are integrated into one. The British parliamentary system does not lend itself to a lot of the changes that people in the right wing in the United States are endeavouring to implement.

This is not to say that the member has not raised an issue which is not on the public's mind. Obviously in the riding he represents, in the federal situation there's been a lot of publicity and a lot of frustration. I want to say that the member has at least raised an issue which is on the public mind, and it's something we always have to wrestle with in the British parliamentary system as to how we're going to handle it.

I've listened to speakers talk about the federal member for the riding that Mr Cousens is a provincial member for and, while I certainly do not endorse what I have seen so far from that member and some of the things that have happened by any means, I really think there is a biblical saying out there that says something like, "Let him who is without sin cast the first stone."

If I were to look at all of the members of various elected bodies in this country who've been elected not exactly telling the truth, that would certainly disqualify a lot of people from public office because they sometimes haven't exactly portrayed themselves as they are and they've made promises that clearly cannot be delivered. That could apply to a lot of people.

In the case the member makes reference to, I can certainly understand the frustration of the people there. It's important for political parties to work hard to try to make sure that the candidates who come forward are portraying themselves as they really are and are reputable people. It's incumbent upon political parties to do that; I think most of us would agree that that is the case.

I listened to the member for Don Mills and he had an interesting thing to say that I think concerns a lot of people with the issue of recall: that it places elected members in a position where they can become the captive of special-interest groups.

Certainly this is the case in many cases in the United States where political action committees have a great influence over members of Congress and members of state legislatures, or at least try to exercise that. If you have a recall provision, it'll become even greater.

First of all, a lot of the people interested in recall are partisans. The member for Durham East has clearly indicated that after the last election there were a lot of bitter people. There are after any election where one government is defeated and another government is put in place.

I'm sure there were Liberals and Conservatives and others who might well have wanted to initiate some kind of recall on any one of the NDP members across the floor, particularly newer members in ridings where the NDP had not been particularly successful before. But they had been elected by the people of this province and they serve as they see fit. The people of this province will have a chance to pass judgment on election day; we'll either re-elect the government or elect one of the other political parties to govern in Ontario.

I find it very concerning to me that special-interest groups, particularly powerful and rich special-interest groups, could torpedo the political representation within a riding, could take over that riding. That's a great danger to me because I think our responsibility is to represent all of the people within a constituency, not simply special-interest groups.

When people come into our constituency offices, we know that we represent not only those who are there to perhaps get more out of the system but also those who must pay the tab; those who overwhelmingly do not get access to the system, do not get anything directly out of the system, but have to pay the bills.

I think it's important as well, as this resolution points out, that in an election campaign—and I think we all encourage this—people watch carefully as the campaign unfolds, that the news media present for people the information that is necessary, that people go to the public meetings to question candidates, that there be extensive canvassings of the candidates' views and the candidates' qualifications, to ensure at least that when the people vote for them they know what they're voting for. I think again there would be a consensus on that.

I know recall has some popularity in western Canada, in certain provinces in the far west of Canada in particular. But once again, it becomes an almost untenable situation if political representatives constantly have to be looking over their shoulder at powerful special-interest groups who are trying to bring them down. It makes it more difficult to do their job on behalf of their constituents.

All of us should be consulting our constituents on an ongoing basis. We do it simply by conversations in the street, by people who call constituency offices, by mail that comes in, by various events that we attend where we have access to people or by going out and questioning people about their views and issues. We also have, of course, access to the news media, whether it happens to be the formality of a newspaper where you have a letters to the editor column or you have radio talk shows where people may express their views.

1050

There is a variety of ways that those of us in public office can get the views of the people, and I think it's going to be important and incumbent upon all who have any role in this to ensure that when we present candidates for public office at any level, we make certain that we have all of the information available that will be helpful to the public.

I think that where there is clearly a breaking of the law, a violation of the Criminal Code, there should be provision—I believe there is provision in certain cases—that members are removed from public office. The Parliament of Canada and the Legislature of Ontario have a bar that is a legal constitution of the Legislature which can deal with people in the Legislature who have perhaps not been as they should be.

I can recall, being a history teacher, that one of the people who was kicked out of this Legislature on a number of occasions was William Lyon Mackenzie. He was elected by his constituents and turfed out by the members of the Legislature, elected by his constituents and turfed out, largely because of the viewpoint that he held rather than anything else.

I recognize why this is coming forward. I recognize the importance of this issue. I said in a rather humorous way at the beginning that it was the mayor's race that we're talking about, but I also want to say to the member that I think it's an issue that we have to wrestle with as political parties, as a society, as the news media, everyone involved in the process, to see that we have the appropriate mechanism for electing candidates.

But coming down on whether one is going to be in favour of this or not, I see many dangers of special-interest groups, powerful and rich, being able to control members of Parliament, to threaten members of Parliament that if they don't vote one way on an issue or take a stand on an issue, they're going to be recalled. The member spends then a good deal of time fighting that action instead of appropriately dealing with the constituents' issues. Listen, if you go out there today, with the mood of the electorate and what people generally think of politicians, it's popular to be able to get at them all the time. Except I think that when people listen to the full debate on this kind of issue, most people, at least people of moderation, will come down on the side of the British parliamentary system as it is constituted, with very strong news media out there to call people to account and of course with a message to political parties and to individuals that people being presented for public office should be those of honest qualifications and those who are reputable in every possible way.

The Acting Speaker: Further debate? The official opposition still has almost five minutes. The Conservatives are almost out of time.

Mr Bradley: On that basis, I guess I'm going to be continuing. I was hoping my colleague the member for Renfrew North was going to be here to speak to this piece of legislation.

I think this is one piece of legislation which, if passed, would lead to some other Americanization of the Cana-

dian system. I think if you're going to move to the American system, you have to adopt the entire American system. It's very difficult to have a hybrid.

We in this country and in this province have elected people for a certain period of time. If there's a need for a change—for instance, if people believe there should be a fixed term—that's a matter of a different debate and maybe a matter which would have some significant support. If people out there felt that petitions should have more importance or that we should have more referenda, depending on what the issues are, again that's another issue to be discussed and it may have some more considerable support than this particular one.

I look at people over the years who have taken some unpopular stands in this Legislature and I think under recall provisions, particularly strict recall provisions, could be removed from public office simply because the stand they took happened to be unpopular at a point in time, particularly when that stand is defending for instance the rights of a minority. I can think of members of the Legislature of all political parties who have taken certain stands that haven't been popular over the years. I could imagine they would be recalled by people who simply didn't like the political point of view they espoused, as opposed to the fact that a person had broken a law, that a person had been particularly disreputable.

Our system does allow, at the conclusion of a term, for the removal of people, and it does allow for the public to put pressure where there is considerable concern about the qualifications of a person or the manner in which a person is conducting herself or himself. There is a news medium out there which is extremely vigilant these days on this issue. Members of the Legislature themselves are vigilant on these issues as we discuss matters before the House.

Once again, I think it's important for us, when we're making our decisions, to talk about three or four different sections of people. First of all, there are obviously the so-called experts. You listen to the civil service and you listen to political staff when you're on the government side. But it's exceedingly important that we not simply spin a cocoon around ourselves in this Legislature and in the federal Parliament and simply talk to one another or talk to the so-called experts.

That's why I think it's important that governments listen to the government caucus, to members of that caucus. It's important for cabinet ministers to do that, to listen to members of the caucus who are out there talking to people on an ongoing basis, getting that input from people, so that we can make good judgements. This may shock some of the members of this Legislature, but not all of the wisdom in the province resides in this House or in the federal Parliament. I'm sure it won't shock the general population of this country or this province, but it doesn't. That's why it's important for us, through various means of outreach, to get those opinions.

That's why it's important as well that we maintain a good, solid standard of life in terms of representing people out there. People don't want crooks in local office or in provincial office or federal office. All of us have to be vigilant, whether it's within our own parties or other

parties or for the municipal level, to watch for any signs of corruption. We have a police force out there that can investigate, that has conducted some investigations over the years and has made some prosecutions which have resulted in people being removed from public office, heavily fined, placed on probation or in some cases they've gone to jail.

We would support that, because as elected representatives, it's important to know that when one or two people are cast in this light, when one or two people are corrupt or crooked, then it reflects in a very unfortunate fashion on all elected representatives. That becomes, in the minds of many people, the norm, whereas I think most of us who have served in public office would say that the overwhelming number of people we have served with, regardless of their political affiliation, regardless of the stands they have taken on issues, have been reputable people, have been doing the best they possibly can under very difficult circumstances.

I commend the member for at least talking about this in the Legislature. I think it's important. I wish there were a mechanism that could solve what he wants to, but I don't think this is the mechanism.

The Acting Speaker: The member for Markham has three minutes and some seconds in conclusion.

Mr Cousens: First of all, I'd like to thank all members for participating in this discussion or debate of the issue that is very, very important to me and to many people here in Ontario. I appreciate the fact that you may not all agree with me, but at least we've had a chance to begin some formal discussion in this House.

I also want to thank members of our community who have been involved in this process: Richard Van Seeters, Ivy Persaud, Kathleen Freeman, Judith Suraski, who have also been very, very concerned about this whole issue for a long, long time.

Our community feels tremendously violated by the process and would like to find some way in which, for the future, we as a society have mechanisms in place that provide the checks and balances and the opportunity for people to open those doors.

1100

I think the concerns that have been raised by members of this House have to be addressed through the process that I've suggested. Let the legislative committee begin that dialogue and look for ways. The federal government is starting that now. It is something that we have seen across the States; we see it being considered in Canada at the federal level. Why could we not begin it here in this House? When I launch this effort, it's purely a matter of making democracy more available to more people.

Some of the issues that came out through the debate: Democracy is costly. The member for Sudbury brings up the high cost of the whole recall process. Let's deal with the cost. The costs are part of what democracy is all about, and I think we have to be prepared to pay for democracy. We haven't found a better way yet. There is a cost, and I think we, in our democracy, want to make sure that people continue to be involved in that democratic process.

I think the member for Leeds-Grenville brought up the point of referendum legislation. The people in Switzerland have an approach, far more than we, but we've got to get back to the people so that there's an ongoing dialogue between legislators and the public, not just by listening but also by really searching out their participation.

To the member for London South, I'll make this statement with regard to municipal politics: What's good for the goose is good for the gander. I think if we could begin this whole process, it would fall directly on to the municipal level as well. I would support that.

The member for York Mills talked about the cynicism of the political process. That is partly why my resolution today would begin to deal with that cynicism. You just have to come up to Markham and understand the level of frustration that people have. How else can they deal with it? The doors are all closed. I'm asking for a way of opening those doors at the federal level and the provincial level.

The member for Durham East is not prepared to look at any changes to the Westminster model. It isn't perfect. In eastern Europe, they're changing their constitutions on a far more regular basis. Why can't we begin to change our processes here at Queen's Park that allow for more participation by more people and provide for the checks and balances?

The member for St Catharines talks about American politics in Canada. Yes, that is part of the problem we all face, but no one has developed the perfect method for making democracy work. All I'm trying to do through this resolution is look for those checks and balances and find a way of getting people to own their Parliament all the time, not just every four or five years when there's an election.

The Acting Speaker: We will further deal with this motion at 12 noon.

OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI SUR LA SANTÉ ET LA SÉCURITÉ AU TRAVAIL

Mr Winninger moved second reading of the following bill:

Bill 157, An Act to amend the Occupational Health and Safety Act / Projet de loi 157, Loi modifiant la Loi sur la santé et la sécurité au travail.

The Acting Speaker (Mr Noble Villeneuve): The honourable member will have 10 minutes to initiate debate, after which all recognized parties in the Legislature will have up to 15 minutes to participate in the debate.

Mr David Winninger (London South): Bill 157 amends the Occupational Health and Safety Act to ensure that workers will continue to be paid if an employer shuts down all or part of the workplace because of a worker's refusal to work under unsafe conditions or pending correction of those conditions.

Mr Speaker, as you may know, over decades—in fact, for a whole century and upwards—occupational health and safety was regarded as being within the exclusive

purview of the employer. It was part of management.

This all changed in the early 1970s. In the early 1970s, several miners went on strike at Elliot Lake protesting their unsafe working conditions and vowed not to return to the workplace until those unsafe working conditions were removed or corrected.

In direct response to the action by the miners at Elliot Lake, a Royal Commission on the Health and Safety of Workers in Mines was struck by the government of the day, with the support and assistance of the then Leader of the Opposition, Stephen Lewis. This royal commission was chaired by Dr James Ham, a professional engineer, and was established in response to the concerns expressed by those miners of Elliot Lake. As a result of the very important work done by Professor Ham, the first Employees' Health and Safety Act was passed in 1976, allowing workers the statutory right to refuse unsafe work for the first time and to accompany government inspectors throughout the plant, and allowing them the option of establishing health and safety committees jointly with management and the right to find out what hazardous substances were being used in the workplace.

The Occupational Health and Safety Act first came into force in 1979. Since then, amendments have been made from time to time, including the workplace hazardous materials information system, but the most important amendments came with Bill 208, passed in 1990.

The underlying principle of the Occupational Health and Safety Act is one that places joint or internal responsibility on management but also on labour, the workers, so a balance is struck in the government's role of enforcing compliance with the act and emphasis is placed on the cooperation of labour and management in removing unsafe working conditions. This role typically is carried out through the health and safety committees of each plant. However, where the internal voluntary system of responsibility doesn't work and breaks down, then a worker has the right under the act to refuse unsafe work.

What we have under Bill 208 is an enhancement of the powers and rights of workers and health and safety committees and inspectors, while at the same time increasing the statutory rights of employers. Certified members of the health and safety committees are given authority to issue stop-work directives and inspectors receive greater enforcement powers. So there is, as it were, a collaborative approach ideally to health and safety issues.

The consultation, as I said, occasionally breaks down. In some of these situations following inspections, fines are levied, fines of \$25,000 in the case of individuals or \$500,000 in the case of companies. But we know that enforcement alone does not solve all of the problems and that what you need is a multipronged strategy that includes education, prevention and, yes, enforcement.

The Workplace Health and Safety Agency, created in 1991, which is fairly autonomous but still reports to the Minister of Labour, has a number of important roles. It certifies members of the health and safety committees. It administers health and safety education. It oversees the activities of the occupational health and safety delivery organizations, accredits employers, promotes occupational

health and safety and develops standards of performance.

But these three fundamental rights are still paramount under the Occupational Health and Safety Act: the right to know about workplace health and safety hazards; the right to participate in health and safety recommendations through joint health and safety committees; and finally, the right to refuse work that endangers health and safety.

During the hearings in 1990 on Bill 208, under the former Liberal government, there were several locals that came forward and said the bill should be amended to guarantee payment at all stages of work refusal. This was echoed by OPSEU, CUPE, the United Steelworkers and Canadian Paperworkers locals, just to name a few. The NDP in 1990 moved an amendment to Bill 208 to ensure that where there is no work for a worker when there's a refusal to work, the worker shall not be paid less than 100% of the worker's regular premium rate.

1110

That amendment unfortunately was defeated by the Liberal majority of the day. We do have a few collective agreements that cover worker in these situations. I need to be very precise on this point. The decisions coming out of the Ontario Labour Relations Board indicate that where a worker refuses unsafe work, he or she will likely be paid, but all of those other workers who are sent home on account of that work stoppage are not entitled to be paid unless there's a provision in the collective agreement. That's what Bill 157 is designed to address.

We have several documented cases that I've been informed of where the plant, due to shortage of a part or slow sales or a heavy repair inventory, will send workers home without pay while a health and safety refusal is resolved. However, if there is a need for high production and overtime, these health and safety concerns tend to be resolved very quickly.

In the absence of collective agreements covering these situations, Bill 157 would amend the act to ensure that workers will continue to be paid if an employer shuts down all or part of a workplace because of a worker's refusal to work in unsafe conditions or pending correction of those conditions. This gives the workers a meaningful right to refuse unsafe working conditions free of pressure from peer workers who may not get paid as a result of being sent home during a work stoppage.

Some may say, what if a worker refuses to work frivolously? We know the worker will be subject to discipline which would be upheld, I'm confident, by an arbitrator or by the labour relations board.

We've seen a decrease in the number of immediate job-related deaths over the last five years, and lost-time injury rates in the industrial sector have decreased over this same period. With a meaningful right to refuse conferred on a worker, to refuse unsafe working conditions free of peer pressure, I expect there will be fewer workplace accidents and deaths and fewer claims for workers' compensation once this legislation is enforced, which would nicely complement some of the initiatives recently announced by the Minister of Labour to reform our workers' compensation system.

I note that among the spectators in the members' gal-

lery east are Joe Zsoldos, Bill Gilmore, Percy Nelson and Deb Graves of CAW 1520, and other people who have since arrived whom I've been unable to add to the list.

This bill has the support of the CAW provincial; it has the support of the Ontario Federation of Labour; it has, very importantly, the support of the president of Local 1520, Rick Witherspoon, who I don't think was able to make it today; it has the support of the London and District Labour Council and many locals all across the province, including the Steelworkers. So I'm pleased that this bill has this broad measure of support and I look forward to hearing other comments from my colleagues in the House.

The Acting Speaker: The honourable member will have two minutes in wrapup after the debate. Further debate.

Mr Steven W. Mahoney (Mississauga West): Perhaps I'll spend a little more time on some of the positions that our party took in the Bill 208 debate and on dealing with some of the issues in a recent report put out, referred to as Back to the Future, which is the result of an outreach tour that was conducted by myself, as the Labour critic, and our staff. I'll spend more time on that than I will in commenting on the member's speech, but there are a couple of things that I just cannot leave unsaid.

I find it fascinating to hear the debate from the members opposite, talking about the wonderful accomplishments that were arrived at through the implementation of Bill 208. With due respect to the member, I recognize that he was not in this place during that debate, nor were, I believe, any of the members who are currently here this morning. But it was quite a rancorous and acrimonious and difficult debate, with the NDP fighting every single aspect of Bill 208.

Of course, they've now taken the result of Bill 208, which is the health and safety agency, and turned it into one of the greatest boondoggles in the history of this province, putting their friends in charge of it, Mr Forder particularly, but others who have gone around and completely destroyed the principles that were put in place in Bill 208 that would have made health and safety training better in this province.

It's really very fascinating to hear the debate today when they reopen perhaps some of the wounds of Bill 208 and deal again with some of the issues surrounding frivolous shutdowns, parts not arriving on time, equipment breaking and the right to refuse work.

I would take the member and you, Mr Speaker, back to the debate and the concerns of both labour and management. One of the most important principles of Bill 208 was exactly what the member putting this bill forward has said, and that was to place emphasis on cooperation between management and labour.

The great fear, perhaps unfounded, of management was that with a unilateral right to shut down the workplace without any kind of consultation, a worker perhaps could use it for purposes other than health and safety: perhaps.

Interjections.

Mr Mahoney: Well, that was their fear. I'm not

asking you to agree with it; I'm making a statement of reality, that this was their fear, that if someone were running to be shop steward, they could perhaps create an issue on the floor of the plant and use that for their purposes.

Interestingly enough, what was overlooked was that if they made a decision to shut it down, pay stopped for everybody involved, previous to 208. Interesting. The business community said, "We don't care. We think if there's enough political interference and manipulation"—and we've all seen the kind of manipulating the NDP is capable of—"they will take the workplace and turn it into a political forum for the gain of their philosophical bent," as you hear Bob White—and it's very nice to see many members of the Canadian Labour Congress in the audience today—standing up and saying, "We've got to fight the corporate agenda."

This nonsense has to stop in this country. We have to get labour and management working together again the way they used to and stop the political rhetoric. I don't care if Mr White wants to run to be the leader of the federal New Democratic Party. Why doesn't he have the guts to stand up and do it? Why doesn't he have the guts to stand up and face the electorate? That's what he should do. That's where he should be fighting his political battles.

Mr Derek Fletcher (Guelph): What has this got to do with it?

Mr Mahoney: This has a lot to do with it, because this is the same type of thing.

I just want to say that it's really, really important that we deal with issues that work in the workplace. What this bill is attempting to do is to tilt the playing field even more in the direction of the radicals such as Mr White and others in the labour movement. I find that regrettable. I wish members of this government could take some time to put forward private members' bills that would do something about getting the economy going again, that would create jobs, that would make health and safety work in this province, instead of the kind of nonsense that's going on under the leadership of Mr Forder and the agency.

I made a number of recommendations which I'd like to share with you. Just before I do that, let me go back to Bill 208. Bill 208 says, "A worker may refuse to work or do particular work where he or she has reason to believe" equipment or a machine could endanger himself or someone else, the physical condition of the workplace is not acceptable and could endanger himself or someone else, any equipment that he or others are using could endanger him or someone else—I'm paraphrasing, but that's the principle.

1120

"Upon refusing to work or do particular work, the worker shall promptly report the circumstances of the refusal to the worker's employer or supervisor, who shall forthwith investigate the report in the presence of the worker and, if there is such, in the presence of one of" a committee member, a health and safety representative, a worker who has particular knowledge or experience and

has been selected by workers to represent them.

"An inspector shall investigate the refusal to work in the presence of the employer or a person representing the employer, the worker and, if there is such, a person as mentioned before.

"Pending the investigation and decision...the worker shall remain at a safe place near his or her workstation" during normal working hours etc. The employer may "assign the worker reasonable alternative work" if there is a problem, and subject to section 50, where an assignment has been made of reasonable alternative work, if it is not practicable to do that work, the employer may give other directions.

"A person shall be deemed to be at work and the person's employer shall pay him or her at the regular or premium rate, as may be proper," for the time spent during the investigation and for the time spent carrying out the duties under subsections (11) and (12).

The principle here was that when a worker finds a problem, whether it's a shop for the CAW or Steel or wherever it is in the province, they contact their supervisor and say: "We have a serious problem. We want this investigated immediately." The employer is to move immediately to conduct, along with the worker, those investigations, and they are to correct the problem.

The concern and fear that the business community has put forward, with some justification, frankly, has been that if a worker can simply decide they're going to try to shut down the particular segment of their operation and continue to get paid for doing so, there could be frivolous complaints laid from a worker about health and safety issues.

Why don't we deal with the issues here? Why don't we deal with better health and safety and make the employers and the workers work together for better health and safety?

I'd like to quote from the Outreach report, which recommends some 36 changes to the WCB, which of course is tied very directly into health and safety and into the principles behind this bill:

"During the Outreach consultations many small and large employers expressed frustration with the efforts of the Workplace Health and Safety Agency in the delivery of health and safety programs, primarily in the area of certification training."

The agency was created, as you know, in 1991, by changes to the Occupational Health and Safety Act. It was "to be responsible for the establishment of health and safety committees comprised of workers and employers in the delivery of certification training in Ontario workplaces.

"To date, the certification exercise has proven to be controversial at best and a disaster at worst. It has become increasingly evident that the responsibility for the delivery of health and safety programs must rest with the Workers' Compensation Board.

"Bill 208," referred to by the previous speaker, "was a Liberal initiative that established the creation of [this agency]. The agency oversaw the creation of joint workplace health and safety committees in the delivery of core

certification training for Ontario workplaces. [It] has proven that bipartism has failed, and it will continue to fail as long as an adversarial component rests within the process. Many Ontario employers have expressed deep frustration with the degree of 'empire-building' that has become commonplace at the Workplace Health and Safety Agency."

This report makes a number of recommendations about how we can better deliver health and safety training, and that should be the goal of all of us, all of us in this place, in the workplace, in management, in organized labour. That should be our number one goal, because that is the way, ultimately, that we will make true reforms to the workers' compensation system work.

The first recommendation is that the agency "be reorganized into a separate department under the auspices of the Workers' Compensation Board, complete with a vice-president and staff...to ensure a stronger link between the delivery of health and safety programs and the prevention of workplace accidents."

The second recommendation is that "a bipartite occupational health and safety advisory committee"—stress on the word "advisory"—"be established to assist and advise the occupational health and safety department [of the WCB] in the analysis and implementation of health and safety programs. Members of the advisory committee will receive a per diem of \$1 per day," which should take away the opportunity for this government or any other government to simply pay off their friends with \$300- and \$400-a-day jobs in health and safety.

Interjection: There's no money left. You spent it all.

Mr Mahoney: There is no money left, buddy, and you know it, because you've spent it all. You keep spending money you don't have.

The Acting Speaker: Interjections are out of order.

Mr Mahoney: The next recommendation—you might be interested, you might learn something, but I doubt it—is that "corporations that have training programs in place which satisfy the health and safety standards established by the proposed health and safety department be recognized and given credit for this training."

I had an interesting visit from some people from Inco, who said: "We have to send our workers to the worker centre in Hamilton, at an incredible cost, for three weeks of training, and we would classify the level of training delivered to them to be about grade 7 in educational terms. And for many years now," he said to me, "we at Inco have been running what we would classify as PhD health and safety training right in Sudbury. Why do we have to go to the worker centre in Hamilton?"

Well, you know the answer: because this is all about power. This is not about health and safety, this is not about reducing accidents. This is about political power of the NDP, using their friends in the labour movement to further their philosophy. If only you would stick to the issues that really matter, the issues of preventing accidents.

The next recommendation came as a result of offers that were put forward, that "the health and safety department seek out corporations and trade unions willing to

provide specific training for small business at a cost pass-through basis." I think the trade labour movement should be actively involved in providing training right across this province—

Mr Hayes: Where have you been?

Mr Mahoney: I know they do now, and we should continue to do that through this kind of system. There are corporations that are willing to share their expertise and work with small and medium-sized businesses, who can't afford to take somebody off the job for three weeks and pay for some certification course and have them travel to Hamilton and stay in a hotel. I think we should be willing to accept the offer of those people to do that. That's one of the recommendations here, that they would "provide videos, literature and/or software...on a cost pass-through basis for health and safety training."

The final recommendation is that "the health and safety training provided by large and small employers, in addition to their accident experience record, be used in the setting and calculation of their rates."

Instead of dealing with an issue that was defeated by the former government and will be either defeated or repealed by the next government, why don't the members here deal with real reform to health and safety and do something about better training?

1130

Mrs Elizabeth Witmer (Waterloo North): I am going to join in the debate this morning concerning the bill that's been put forward by the member for London South. Obviously, what we're talking about today is the objective, which we would all agree with, to make our workplaces as safe as possible.

However, in this area of occupational health and safety we've seen a tremendous amount of controversy in recent years. We've seen a consultation process which has not considered the input of all the parties concerned. I personally am concerned and our party is very concerned about Bill 157, this Act to amend the Occupational Health and Safety Act, because again there has been absolutely no consultation with all the workplace partners. If we're going to make any changes whatsoever, it's absolutely essential that this consultation take place and that the views of all the partners are taken into consideration. Unfortunately, this entire issue has done nothing but create a very uncertain climate within this province and has given us some very negative publicity outside of the province as well.

I believe what is being done here is again a very deliberate attempt by the government in power to destroy the delicate balance of power we have always enjoyed in this province between labour and management. We have tried to ensure that all parties have been taken into consideration. However, we have seen this government now on the issue of Bill 40, on the issue of WCB reform, on the changes to the Workplace Health and Safety Agency. We see a constant shifting of power towards the union leaders, with a complete disregard for management and the employees.

What is happening is that this government continues to put its own political agenda ahead of the interests of the

people of this province. I continue to believe, as does our party, that occupational health and safety issues should be cooperatively worked out at each work site. I am very opposed to the introduction of this bill, which again introduces an adversarial aspect into the process of resolving workplace health and safety issues.

I just want to share some of the concerns this morning. I've had an opportunity to survey some of the groups and companies that are going to be impacted by this legislation, and these are some of the comments I have received.

This is from the Employers' Advocacy Council:

"This bill is going to interfere with the collective bargaining process between workers and their employers.

"Many employers already have provisions in place to provide employees with alternative employment where there is concern about the safety of a particular operation.

"Introduction of this bill will encourage abuse of the unsafe-work stoppage rights that are contained in section 43. It will create a financial incentive for workers to refuse to do work until an investigation is completed," by the way, "a refusal that may be unfounded and will have absolutely no consequence to the worker. A worker could," if he or she chooses, "maliciously impose additional costs on the employer for circumstances that are unrelated to safety, where no unsafe work condition exist." That could happen as a result of the introduction of this Bill 157.

This bill, I can also tell you, "would be one more reason for business not to relocate or stay in Ontario," and this government has already given the business community sufficient reason not to stay here or expand its operations or to move into the province. We have effectively built a wall around this province, and unfortunately it's the people in this province who are suffering the consequences, because we just do not see the economic recovery and the new jobs that are happening throughout the rest of the Dominion of Canada.

In my own community, I have had in the past couple of years two companies not expand in Kitchener-Waterloo, but they're expanding in the southern United States. I can tell you it's because of legislation which destroys the balance between labour and management and tends to give all the power to the union leaders.

"This bill will continue to erode the ability of the employer to manage the workplace in a safe, effective and efficient manner," and it is, according to the Employers' Advocacy Council, "one more unnecessary intrusion into the workplace by government." That's another thing that's happening. The red tape, the regulation in this province is so great, imposes such a burden on the employer at the present time, that it is another reason for people to seek to go elsewhere, and as a result, our own people are losing their jobs.

This government seems to be totally unaware of the fact that the legislation it's introducing—and this Bill 157 is just another piece—is having a negative impact not only on people who are presently employed but on future jobs, jobs for our children and our grandchildren. They simply won't be here.

A good example yesterday was the reform of the WCB. The government totally refused to recognize, didn't acknowledge, that there's a financial problem at the WCB, and the supposed reform yesterday didn't address that problem one iota. There was no recognition that the unfunded liability stands at \$11.5 billion. Again that legislation puts in jeopardy not only the benefits the injured workers enjoy today but any future benefits people might receive in the future.

I go ahead with another employer:

"We are concerned about the proposal in Bill 157 to oblige employers to pay workers in all situations where there is a work refusal. Our collective agreement provides for the ability to send workers home with pay under certain conditions, such as material shortages, inclement weather, equipment breakdowns, and where it has been determined that there are unsafe conditions.

"However, removal of any discretion would substantially alter the balance in the employment relationship and would allow the Occupational Health and Safety Act to be used more frequently in labour disputes."

I guess that's the key. That is the leverage this bill would give. It would be used not because of unsafe working practices; it would be used in labour disputes.

"The health and safety of our workforce is of paramount concern. We recognize and respect the right of workers to refuse work where there is imminent risk of harm. However, we experience work refusals reasonably frequently where the imminent risk is not apparent. Particularly in component facilities which produce parts on a just-in-time basis for assembly or in assembly plants where we are attempting to maximize output to meet market demand, the loss of production where the risk is not imminent is extremely expensive." Anyone who knows anything about just-in-time knows you've got to get your product out.

We also can see that the safety concerns are being recognized by management. They go on to say:

"Where a worker refuses work and the risk to health or safety is apparent, it is our practice to compensate all affected employees. However, where the risk is not apparent, the fact that a refusal might impact a large number of employees' compensation can be an effective motivator for the worker to seek alternative methods to resolve the issue."

Again there's opposition, because this Bill 157 can be abused and not used for the purpose for which it's intended, and that is to address the issue of unsafe working conditions. I think you will find that the majority of employers in this province are very committed to workplace safety.

Mr Larry O'Connor (Durham-York): Yes, and they did it all of their own free will.

The Acting Speaker: Order. The member for Waterloo North has the floor.

Mrs Witmer: Another comment:

"The present legislation, Bill 157, does not provide a balance between the employer and the employee in that it does not provide for sanctions in cases where employees frivolously exercise their rights to leverage

their employer relative to other issues." Again you can see that Bill 157 destroys that delicate balance.

"In such cases, the employer and, where assembly line production is involved, other employees may be adversely affected by employees who abuse the rights provided for under the act. The employer loses the production units which otherwise would have been manufactured or assembled, while the employees may lose wages they could have earned in those situations where production operations have to be suspended while the dispute is adjudicated by the ministry inspectorate.

"The bill will increase the leverage which a union or an individual may apply upon an employer by essentially eliminating all consequences related to a frivolous refusal except those to the employer," who loses production.

"The bill conflicts with the widely accepted collective bargaining principle that the employer pays for hours worked and does not promise or guarantee that any particular number of hours worked will be available to the workforce.

"The bill does not provide for sanctions against employees who abuse their rights under the act." So again, there's no balance.

"The bill could obligate the employer to continue to pay wages in situations where operations are suspended, even when the reason for the refusal is determined to be unfounded." How unjust; unjust, unfair.

1140

Another comment here from a person opposed:

"There's a danger of work stoppages based on frivolous complaints about unsafe working conditions, and this bill will only make the frivolous complaints more obvious. Unions could make such complaints as a means of pressuring employers during collective bargaining discussions.

"Why is this bill even necessary? There is no widespread problem with regard to this issue and there is no need for such legislation. The current process has not caused unnecessary hardship for workers."

"What is Mr Winner's interest in this issue?"

"If it is to resolve a single instance in his own riding, perhaps the Ford plant in St Thomas, which I notice has an abnormally high number of work stoppages in comparison to all of the other Ford assembly plants. For example, in 1986, St Thomas had 138; the others had 45 and 59. If I take a look at 1993, the St Thomas plant had 229 incidents; the other plants had 33 and 30."

Maybe the suggestion that Mr Winner has an instance in his own riding—if he does, I would suggest to Mr Winner that if there is an isolated occurrence, it's not necessary that you impose a law on all employers in this province. I would suggest to you that you should deal only with the issue in your own riding. Certainly if I look at the history from 1986 to 1993, that particular plant has an abysmal record as far as work stoppages are concerned, yet when we take a look at when the Ministry of Labour was called in, they were certainly not all justified. So there seems to be a particular problem within your own riding. I think we need to put that on the record as well.

In conclusion, I would just like to say that there is concern in this province about workplace health and safety. I think it's extremely unfortunate that there is such bitterness between the employers and the labour union leaders regarding workplace health and safety issues. I think there needs to be consultation. If there are genuine concerns, if there are genuine issues that need to be addressed, then I think we need to sit down at the table and we need to address them.

I can tell you, personally, I'm not seeing that happen. I'm seeing a very negative climate. I'm seeing a very adversarial climate. I find that personally very disappointing, because we need to all be concerned about workplace health and safety issues. We need to make sure that our workplaces are safe, but if we continue to name-call and if we continue to put legislation in place which creates a more adversarial climate, which continues to give power to one side or the other that isn't balanced, we are not going to be meeting the needs of the people in this province.

Mr Mike Cooper (Kitchener-Wilmot): I'd like at this time to thank the member for London South for bringing forward this timely piece of legislation. I know on April 28 I was back in my riding for the workers' day of mourning, and the two co-chairs from the Workplace Health and Safety Agency were there.

While the opposition are talking so negatively here, I notice that they're always so outraged when a murder happens out in the community. This is one of the things that was brought forward. If they could direct that same outrage every time a worker gets killed on the job, then we might finally get something. So while they talk about the fine balance here, this is something we have to do.

What I've been quite pleased about over the past two years is that there have been employer representatives at the workers' day of mourning, because they are buying into the certification training program and they are coming on side.

I think what we have to do is sort out where this legislation came from. I know in 1974, the Royal Commission on Health and Safety of Workers in Mines was established in response to concerns of miners in Elliot Lake, and as a result the Employees' Health and Safety Act was passed.

Last year I was up in Thunder Bay at the mine rescue competitions. At that time there was a delegation there from the Australian mine rescue team, and they said in the past 12 years they've had one fatality. This is excellent. I asked, "Well, how come?" They said, "Well, it's because of legislation." That's the one and only reason why the incidence of death and accidents is so low in Australia in the mines.

I'd like to commend the miners for continuing to raise this issue. I know we could solve some of the things that have been talked about by getting it into contracts. This doesn't address the unorganized, so legislation is the way to go, obviously by the delegation from Australia.

What I would hope is that this would be one of the few options that the Ministry of Labour would pick up when it is addressing the problems of the Occupational

Health and Safety Act. What we have to do is protect the workers of Ontario. If we can get the people opposite, on their law-and-order agenda, to express the same outrage for injured workers as they do for the people working out in the community to get the big media, then maybe we could get something done.

Mr Pat Hayes (Essex-Kent): I'm very pleased to be able to get the opportunity to speak on Bill 157 and also compliment the member for London South for bringing this much-needed bill forward.

Many of the members here talked about the history of the Occupational Health and Safety Act, but I can tell you some of the history that they haven't spoken about. As a matter of fact, the member for Mississauga West talked about Bill 208 and going Back to the Future. Some of the comments that individual made—and he's supposed to be the critic for Labour; he sounds like the critic against labour.

The critics for the Conservatives and Liberals both talk about the balance of power. Every time we talk about any kind of labour legislation—be it Bill 40, giving workers the right to organize and to join a union, or improving on health and safety—they're always so afraid that it's going to tilt the power and chase corporations out of this province. I just wish those people would have fought as hard against things like free trade, the GST and the inflated Canadian dollar, which chased the jobs out of this country over the years.

One of the things that bothers me is that these people—and especially the member for Mississauga West when he criticizes and calls Bob White and others in the labour movement and my friends from the CAW over here—and I am very proud to be a member of the CAW—radical because they want to protect the health and safety and the lives of the people they represent in the workplace. That's totally ridiculous.

One of the problems is that when these people talk about the balance in power, it's very interesting that the member for Waterloo North gets up in this House and starts quoting on the number of work refusals in some of our plants in this province. But it's also very interesting that she doesn't talk about the numbers of injuries and illnesses and deaths that we have had simply because some employers have failed to take action and correct unsafe and unhealthy conditions.

One of the things about Bill 157 is the fact that if we don't have Bill 157, which the member for London South has introduced, it really undermines some of the other things that are in the Occupational Health and Safety Act. It's been a little while since I've worked in health and safety, so I can't quote all the acts in particular, but one of the sections states that a worker shall not be intimidated, coerced or threatened to be fired or fired, words of that nature, as long as they exercise their rights under the Occupational Health and Safety Act.

1150

But they are intimidated. They certainly are intimidated now, and sometimes they pit workers against workers, because one worker feels they have the right to refuse because of an unsafe condition and other workers get

upset because they know that if the plant or that operation is shut down, they would not be paid. We have also had employers who abused our supplementary unemployment benefits system, for example, just so they wouldn't have to pay these workers who were refusing.

I don't know how much time I've got; I know there are three more speakers. Do you guys want to let me go on or do you want to—two more? Okay.

I think this is really a fundamental right to workers, and the sad part here is that the opposition's biggest argument is about how it's going to affect the employers, how it's going to affect their production. It's quite obvious that those members feel that production comes ahead of the workers' health and safety, and it's really a shame to hear these kinds of things today. The member for Mississauga West was talking about Back to the Future. I can tell you, when I was a union rep in the plant and the government inspector used to come in, he'd turn his head the other way and wouldn't look into the union office for fear that he might have to talk to them to correct an unsafe condition. Is that what we call going back to the future? That's the kind of message that I'm receiving today from some of the opposition.

This bill is really long overdue, and I think at the same time, when people fear—we talk about frivolous work refusal and all these kinds of things. I can say very proudly, as a member of the UAW and then later on the CAW, that we spoke to the workers and we educated our workers and told the workers: "You have the right to refuse. Use it but don't abuse it." That was done, but then on the other side there has been some abuse. I've been in situations where the supervisor would say: "Well, if you don't like it, I can't get that fixed. You refuse." Even that supervisor in some cases has been frustrated because his bosses wouldn't let him shut down the job to fix it and fix it properly.

I just hope that some of these people will change their minds over there and support this bill. It's what's needed.

Mr Randy R. Hope (Chatham-Kent): I find it very ironic, some of the comments that were made by the opposition on this bill, especially the member from Waterloo North who talked about the unbalance.

Let's put things in perspective here. The rights that workers have are only those rights that are entrenched in legislation. Anything that is not in legislation becomes the employer's total right. So when you read through the Employment Standards Act and the Occupational Health and Safety Act, if they don't clearly identify the employee, those are the only rights that they have. If it's not mentioned in legislation, it becomes totally the employer's right. So in order to put the balance in perspective, you have to put things in place to protect employees who work in workplaces for employers. That's called balancing the system out.

When I hear the Liberals talk about Back to the Future, I'm sure we can find their column in the fiction section where we'll probably find the Back to the Future movie ad. I listened to the member opposite talk about helping workers and everything else. I could go on on the length of this. You were right, Mr Mahoney; we were out there with coffins. We were presenting an issue to you, the

Liberal government at that time, on Bill 208, which we needed to toughen the laws up in this province to protect people from being killed in workplaces. When I see your deputy leader stand up in this House and talk about killings that occur in communities, and especially in my own community, and when you mention the issue about a worker, you go silent on it. You never hear a word about incidents that occur.

When you talk about protection, it is in here. It is in this bill. When you allow individuals to start making decisions without being coerced in workplaces, you allow the worker the right to express his views without being intimidated. The only people who have true protection in workplaces are those with collective agreements. Those employees who do not have collective agreements are totally violated by their rights, because you refer to the Employment Standards Act, the Labour Relations Act and the Occupational Health and Safety Act. Those are the only rights workers have that are not covered by a collective agreement.

But when I sit here and listen and read about workplace shutdowns—and I heard employers like Ford, GM, Chrysler, all those people in Windsor, make their big presentations on Bill 208, saying that all the unions are going to do is shut down everything—let me tell you, unions in this province have made plants very productive. They have been very productive through the 1980s and still are productive today. That's why Ford and others continue to invest in the province of Ontario.

The important thing that we're trying to get across with this legislation, Bill 157, is to make sure that employees, whether they be affected in the workplace, have the right to make decisions based on safety. I think it's very important that a lot of employers neglect to identify that in order to have a safe workplace which reduces their workers' compensation—and we hear employers yell about the cost—they have to make sure that we have production down to put in place preventive programs. If they're not going to respect and have the obligation to put preventive maintenance programs in place, then we must make sure there's protection for employees who identify unsafe working conditions in their workplaces.

To the members opposite, I've listened with concern to the views that you express, but I must say, I'm going to be supporting this legislation. Mr Mahoney, I will look your document up in the fiction section to find out the fantasies that the Liberals have with their legislation.

Mr O'Connor: The member for London South brings in this piece of legislation that deals with people's rights. They're family members for a lot of us here, they're working people, people who roll up their sleeves and who have built the country.

I remember back in the early 1970s, when I was going to work in the summertime to pay my tuition to go to high school, working in a foundry in Oshawa. I remember working in that foundry, and half the people in that foundry had back braces. If the people had had the chance then to have some protection, to have refused to do that unsafe work, I wouldn't have seen all those back braces there.

We hear from the opposition that the employees are just going to frivolously go out there and shut down this and shut down that. It hasn't happened. It's about time that they got their heads up in the air, took a deep breath and found out that it just doesn't happen. The workers are out there. They know that they need to have a paycheque. They know that they're out there to help the employer.

Look at General Motors in Oshawa and the CAW. They're expanding again, and the reason is because there's a balance. The two of them are sitting down and they're working things out. But not every workplace in the province of Ontario has the ability to sit down and negotiate, because not all of them are in organized workplaces.

What do you do? You say: "That's okay, you can work in an unsafe condition. It doesn't matter about your fingers, your toes, your arms, your legs, your back." Is that okay? I say, no, it's not okay.

The members think that this is rhetoric. Let me tell you, go out there on the day of mourning and talk to some of those workers. Go out there and talk to some of them. Go out and see the ones who are coming up, who are walking on crutches, the ones who have got bandages and back braces and everything else. Talk to those people and ask them, "If you'd had a chance to refuse to do that work, would you have done that?" Of course they would have. The problem is, "You could do that, but we're going to take the pay right out of your pocket, we're going to take the mortgage payment away from you, we're going to take the groceries off the table for your family."

We've got our family, our brothers and sisters, our mothers, our children who are going to be out there in unsafe working conditions until some of this gets amended. The time has come, and I applaud the member for bringing forward this very important piece of legislation.

The Acting Speaker: The member for London South has two minutes in conclusion.

Mr Winner: I certainly appreciate the impassioned and supportive comments from my colleagues from Kitchener-Wilmot, Essex-Kent, Chatham-Kent and Durham-York. I listened very carefully to what the member for Mississauga West had to say. He may have some constructive thoughts in his mind about how he would choose to reform the Workplace Health and Safety Agency, but quite frankly, to put down completely an agency that has operated in many difficult areas through consensus between labour and management and has already certified many, many employees and management representatives to go back and make their workplaces safer is beyond belief.

The member for Waterloo North stretches the bounds of credibility as well. She says, "This will create an adversarial working environment." When you remove workplace health and safety hazards, you tend to create a more cooperative and collaborative working environment. We already have a few examples of collective agreements that provide for what this bill is establishing. For the member for Waterloo North to suggest that this

will bring business investment to its heels is totally ill-conceived.

In fact, Bill Van Gaal, president of Local 707 CAW representing 4,300 hourly workers of Ford, said in a letter to the Minister of Labour that production is needed for their current demand for Windstar vans—they have over 100,000 on order—and when there is a complaint about an unsafe working condition, action is taken virtually overnight to keep that production going.

This is good for business, it's good for jobs and, most important, it's good for workers and their continued health and safety.

The Acting Speaker: This completes the time allotted for ballot item number 58.

RECALL PROCESS

The Acting Speaker (Mr Noble Villeneuve): We will now revert back to ballot item number 57, Mr Cousens's private member's notice of motion number 41.

Are there any members opposed to a vote on that motion? If so, please rise. Seeing none, is the pleasure of the House that Mr Cousens's motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion the nays have it.

Call in the members; a five-minute bell.

The division bells rang from 1202 to 1207.

The Acting Speaker: All those in favour of Mr Cousens's motion, please rise and remain standing until identified by the clerk.

Ayes

Arnott, Cousens, Cunningham, Eves, Jackson, Johnson (Don Mills), Runciman, Sterling, Turnbull, Witmer.

The Acting Speaker: All those opposed to Mr Cousens's motion, please rise and remain standing until identified by the clerk.

Nays

Abel, Akande, Bisson, Carter, Charlton, Cleary, Cooper, Crozier, Eddy, Fawcett, Fletcher, Frankford, Haeck, Hansen, Harrington, Hayes, Hope, Huget, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Kwinter, Lessard, MacKinnon, Mahoney, Malkowski, Martin, Mills, Morrow, Murdock (Sudbury), O'Connor, Owens, Perruzza, Rizzo, Sutherland, Wessenger, White, Wilson (Kingston and The Islands), Winninger, Wiseman, Wood.

The Acting Speaker: The ayes are 10; the nays are 40. I declare the motion lost.

OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI SUR LA SANTÉ ET LA SÉCURITÉ AU TRAVAIL

The Acting Speaker (Mr Noble Villeneuve): We now are dealing with ballot item number 58. Are any members opposed to a vote on ballot item number 58? If so, please stand.

It is second reading of Bill 157, private member's Occupational Health and Safety Amendment Act by Mr Winninger. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members; a five-minute bell.

The division bells rang from 1211 to 1216.

The Acting Speaker: Order, please. Members take their seats.

All those in favour of Mr Winninger's bill please rise and remain standing until identified by the clerk.

Ayes

Abel, Akande, Bisson, Carter, Charlton, Cooper, Fletcher, Frankford, Haeck, Hansen, Harrington, Hayes, Hope, Huget, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Lessard, MacKinnon, Malkowski, Marchese, Martin, Mills, Morrow, Murdock (Sudbury), O'Connor, Owens, Perruzza, Rizzo, Sutherland, Wessenger, Wilson (Kingston and The Islands), Winninger, Wood.

The Acting Speaker: All those opposed to Mr Winninger's bill please rise and remain standing until identified by the clerk.

Nays

Arnott, Cleary, Cousens, Crozier, Cunningham, Eddy, Eves, Fawcett, Jackson, Kwinter, Mahoney, Miclash, Offer, Sorbara, Sterling, Witmer.

The Acting Speaker: The ayes are 33; the nays are 16. I declare the motion carried.

Shall the bill be ordered for third reading?

Mr David Winninger (London South): I would ask that the bill be referred to the standing committee on resources development.

The Acting Speaker: Is the majority in favour? We'll see if we have consensus. Those in favour of going to the standing committee on resources development, please stand. The majority is not in favour. The bill will therefore go to committee of the whole.

We have now completed the time allotted for private members' motions. I do now leave the chair and the House will reconvene at 1:30.

The House recessed from 1220 to 1330.

MEMBERS' STATEMENTS MUNICIPAL BOUNDARIES

Mr James J. Bradley (St Catharines): On May 17, 1994, I appeared before the federal Electoral Boundaries Commission for Ontario to make a request that the proposed change to the electoral boundary of the federal constituency of St Catharines, which would remove that area bounded by Scott Street on the north, the abandoned CNR right of way on the west, the QEW on the south, the Welland Canal on the east and include that area in the federal constituency of Niagara Falls, not be recommended to the Parliament of Canada by the commission.

As the member of the Legislative Assembly of Ontario for St Catharines for almost 17 years, I have represented the area to which I have made reference and have worked with federal members who have represented the same territory and have been designated as member of Parliament for St Catharines. At no time during that period has

the area in question been associated with Niagara Falls or Niagara-on-the-Lake as part of a federal or provincial constituency, nor has it been included in a municipal boundary that included Niagara Falls or Niagara-on-the-Lake.

As St Catharines has developed north of the QEW, the residents of the area under consideration have established and maintained close ties with the remainder of the community for purposes of education, recreation, commercial activity, transportation and social endeavours.

The utilization of the abandoned CNR right of way as a proposed western boundary of the area in question would be the utilization of an artificial boundary, whereas the Welland Canal would be a recognized, established and geographically significant boundary.

The city of St Catharines has made a submission to the commission; it has made reference to the geographic area to which I have referred. I endorse the comments of the city in this regard.

While I understand the difficulty and challenge associated with the task the commission has at hand, I believe that the people of the north end of St Catharines would be prepared to have a larger population within the federal electoral district of St Catharines than the adjacent federal electoral district of Niagara Falls if the area to which I have made reference were to remain within the federal electoral district of St Catharines.

ROYAL WEEK

Mr Cameron Jackson (Burlington South): The week immediately prior to Victoria Day is Royal Week, which is held annually to celebrate and increase awareness of Canada's heritage as a community living under the crown.

Canadians have derived great social, cultural and political benefits from their constitutional monarchy, such as the rule of law, parliamentary democracy and a society that unifies multicultural diversity within a framework of fairness and equity. We remember that it was this Parliament, under the leadership of Lieutenant Governor John Simcoe, that in 1793 abolished slavery in Upper Canada, 75 years ahead of the US.

The Monarchist League of Canada, of which I am proud to be an honorary life member, is holding a series of public events throughout Royal Week that culminates on Victoria Day, which celebrates the birthday of Her Majesty Queen Elizabeth II, the Queen of Canada, as well as that of Queen Victoria, the mother of Canadian Confederation.

The Queen's birthday parade, the largest of its kind outside of Britain, will include more than 100 bands, historic and modern military units and ethnic groups, who will march up University Avenue at noon under the leadership of D-Day veteran Charles Martin, of course to be reviewed by His Honour the Lieutenant Governor of Ontario.

Royal Week is a time to celebrate what we owe to our Canadian identity through the monarchy. I call on Bob Rae once again to show his pride in that heritage by reinstating the name of the Queen into the police oath of service. I also urge the Liberal Party to do all it can to

ensure that the federal Liberal Immigration ministry halts its attempt to remove the name of the Queen from the Canadian citizenship oath.

I wish all members in this House a happy Royal Week. God save the Queen.

MOTORCYCLES

Mr Ron Hansen (Lincoln): I rise to tell the House about an exciting event that will take place right here at Queen's Park at 1 pm on Sunday, June 5. There will be a rally of motorcycle riders from all over Ontario, riders who are fed up with being abused by the insurance industry. The rally is being sponsored by myself and the member for Kitchener-Wilmot.

As most of you have already heard, insurance companies are refusing to write policies for supersport bikes. The decision is based on models, not on driving records. Insurance companies that are offering coverage are in some cases doubling and tripling rates.

This has had a negative effect on motorcycle dealers. Most have not been able to sell their supersport bikes. As a result, hundreds of jobs are threatened at dealerships and in the motorcycle industry itself.

But the repercussions go even farther afield. According to a study by the Motorcycle and Moped Industry Council, the sale of 6,000 motorcycles each year has a \$241-million impact on the provincial economy: \$60 million spent purchasing the bikes, \$32 million for parts and accessories, \$23 million for lodging and meals for travelling riders and, get this, a whopping \$40 million spent on insurance, and don't forget the \$24 million in provincial taxes.

The council predicts that this year a full one third of sales will be lost, totalling \$20 million. That's \$66 million sucked out of the provincial economy and \$5 million less in taxes. The insurance industry is claiming that it can't make money off riders. Well, that just isn't true. Is \$40 million a drop in the bucket? I think not.

Once again, we're calling on the government to look into launching public motorcycle and snowmobile insurance. Why? Because the insurance industry doesn't seem to want to act in a fair and responsible manner.

I would ask all members of the House to attend this rally.

GREAT LAKES ALIVE

Mr Steven Offer (Mississauga North): Later this month TVOntario is launching a very important event entitled Great Lakes Alive, which aims to educate and provide greater opportunities for those living within the Great Lakes ecosystem to become involved in preserving and protecting our Great Lakes.

Great Lakes Alive will kick off with a special one-hour documentary on May 24 at 8 pm entitled The Great Experiment. This featured documentary examines how toxic contaminants have been introduced into the Great Lakes over the past few decades, their movement within the ecosystem through bioaccumulation and the risk that these chemicals now pose to humans as a result.

In addition to this, the event features the Great Lakes Challenge, an Ontario-wide call to action designed to

increase awareness and provoke citizen response to the problems of Great Lakes pollution. Through this segment of the event, participants will be challenged to choose one of 10 action ideas, carry out that activity in the challenge week following the program broadcast and report back on their efforts to a special action response line on Sunday, June 5, which is World Environment Day.

Creating a water quality ethic among the citizens of the Great Lakes basin is the overall goal of the Great Lakes Challenge. This event is being undertaken in association with 12 PBS stations in the United States.

It is with pleasure that I rise today to commend the efforts of those who have invested so much time and energy into the planning of this important environmental awareness campaign throughout the Great Lakes basin. I am sure that my colleagues in this Legislature will join me in looking forward to this event next week.

G.A. WHEABLE CENTRE FOR ADULT EDUCATION

Mrs Dianne Cunningham (London North): On May 9 Mike Harris and I met with representatives from the G.A. Wheable Centre for Adult Education in London. The G.A. Wheable Centre for Adult Education is an all-adult secondary school that offers a unique selection of programs and support services designed for the adult learner: 25% of the students have young dependent children; 30% have older dependent children; 66% receive some type of government support payment; 60% are single or separated. More than 5,000 adult learners per year register at Wheable.

This year more than 450 graduates are applying for places in our universities and colleges. Just remarkable. The centre provides an adult atmosphere and the opportunity to take academic, business and technical courses which lead to further education and jobs. They provide services onsite, such as day care, counselling, a resource library and a career centre.

There are a number of success stories that have occurred as a result of students attending the Wheable centre to upgrade their skills. One in particular: A young mother who was receiving welfare benefits escaped the system by attending the Wheable centre seven or eight years ago. She is now running her own employment counselling business.

The Common Sense Revolution supports a program that allows people that are able to work or be retrained in return for their benefits. In the next few months, we will be asking charitable groups and other community organizations to meet with us and talk about ways in which this vision can be realized.

I would like to congratulate the staff at the Wheable centre for their hard work and dedication and thank them for a very informative and worthwhile meeting last Tuesday.

1340

POLICE SERVICES

Mr Mike Cooper (Kitchener-Wilmot): I rise today to inform the members of the Legislature of a community policing initiative taking place in Waterloo region.

As we all know, this is recognized as Police Week, and I would like to take this opportunity to commend all

individuals involved in policing for their efforts in all of our communities.

Last week I had the opportunity to attend one of the Waterloo Regional Police services community meetings. Over the past several years the Waterloo Regional Police services have been building many new partnerships within the community. These partnerships include auxiliary police units, the Children's Safety Village, Citizens on Patrol, Crime Stoppers, the high school liaison program, neighbourhoods association liaison, Neighbourhood Watch, the student co-op education program, the task force on youth violence, the Toyota search and rescue team and police ventures.

Their mission statement is as follows: "The Waterloo Regional Police services is committed to a leadership role in crime prevention and law enforcement in a community partnership to improve safety and the quality of life for all people."

Their goals are to "promote an open and accountable partnership with the community for effective participation in determining how our community is policed; to achieve a safer community by developing, promoting and evaluating crime prevention, law enforcement and community programs; to continue to develop human resources and systems to ensure the availability of competent, qualified people representative of our community."

I want to take this opportunity to thank these individuals for their efforts. Just to prove it they're handing out a sheet which says robberies are down by 43%, breaking and entering is down by 18%, dangerous operation of motor vehicles is down by 46%. I'd like to commend them for their efforts in making our community safer.

LEADER OF THE THIRD PARTY

Mr Steven W. Mahoney (Mississauga West): All good things must come to an end, and we in the Liberal caucus are truly sad to see the American Revolution conclude. While we wish the revolution would continue, I know that for Conservatives this day could not have come soon enough.

Like Pearl Harbour, the American Revolution was a sneak attack on the ideals and beliefs of the Progressive Conservative Party. The Tory troops were shocked as the revolution was forced upon them with little or no warning. The red Tories never had a chance; their planes never left the ground.

Today the once-proud party of Bill Davis and Leslie Frost has faded away. From the ashes has emerged a pathetic attempt by Mike Harris and his new no-name party to run away from their past and hide their record. Like a political chameleon, Mike Harris has even tried to change his colours.

This failed experiment, the dream child of American consultant Mike Murphy, has again taken the Conservative Party's debt above the \$3-million mark.

Even more disturbing for red Tories is that this foolish adventure has driven Mike Harris even farther to the right than many Conservatives thought possible.

Today there are more Conservatives who wish to start a bloodless coup than wish to join the American Revolution.

As we lower the flag on this revolution, I cannot help but reflect on what Mike Harris's American Revolution has accomplished. It shows that the only alternative to Bob Rae and the New Democrats is Lyn McLeod, the next Premier of this great province of Ontario.

MAYFIELD SECONDARY SCHOOL

Mr David Tilson (Dufferin-Peel): I stand in this House today to acknowledge the 25th anniversary of Mayfield Secondary School in Bolton. The school will be celebrating this event Friday, May 27, and Saturday, May 28. Reunion organizers have asked both current and former staff members and students to attend the grand reunion weekend where 25 years of Mayfield excellence will be remembered.

Located near the town of Bolton in my riding of Dufferin-Peel, Mayfield Secondary School has been a part of the academic tradition of this constituency since its opening in 1969. Throughout the school's 25-year history, Mayfield has also been very proud of the school spirit that administrators like principal David Craig, staff members and students have worked hard to cultivate and maintain. Such spirit is all too often a rare commodity in educational facilities today due to financial restraints that limit sport and club funding, as well as the social and attitudinal changes of recent years.

However, the fact that Mayfield staff and students have maintained a positive outlook has allowed for the cooperation of the school with the surrounding community. Such teamwork has yielded some unique projects that have benefited all those involved.

I would like to acknowledge the hard work of the reunion organizers as well as those former students who have successfully completed their secondary education at Mayfield in the past 25 years. I would also like to wish the current staff, students and administration well as they lead Mayfield Secondary School into the next quarter century. I hope they will continue the tradition of academic, sporting and attitudinal excellence that has characterized the school since its opening 25 years ago.

NORM JARY

Mr Derek Fletcher (Guelph): Recently, long-time Guelph broadcaster Norm Jary signed off Guelph's CJOY/Magic radio after 40 years on the air.

Norm delivered the news and sports to generations of city residents since 1954. He's been the voice of some of the biggest news events of the past four decades: Terry Fox, the FLQ crisis, Roberta Bondar and the election of this government in 1990.

I joined guests at a roast recently to pay tribute to Norm. One of the guests was CTV's national news anchor, Lloyd Robertson, who recalled his early days in radio, working with Norm in the early 1950s at CJCS in Stratford. Robertson credited Norm with launching his national broadcasting career.

Norm was the television voice of the New York Rangers hockey club in 1966 and he announced Bobby Hull's 51st goal of the season, which broke Maurice Richard's long-standing record of most goals in a season. CTV used Norm's play-by-play commentary of the Hull record-breaker to open and close a documentary on Hull.

Recently, CNN used Norm's broadcasts again in a look back at the Chicago Stadium.

Politics is one of Norm's other interests. He has served on city council for 30 years, 15 as mayor, from 1970 to 1985. He's retired from broadcasting but not politics. I understand he will stand for re-election for his city council seat in the fall.

On his last day on the job, May 4, with three hours to go, Norm was still calling the play-by-play.

I'd like to join the residents of Guelph in saying thanks to Norm for bringing us little and great moments in history.

LEGISLATIVE PAGES

The Speaker (Hon David Warner): I invite all members of the House to show their appreciation for the excellent service which has been provided over the past few weeks by our pages. This is their last day of service to the House.

Applause.

ORAL QUESTIONS

ACCESSORY APARTMENTS

Mr Sean G. Conway (Renfrew North): My first question is to the Minister of Housing. Tragically we have had a third fatal fire in the region of Peel in just the past six months, another fire yesterday in Brampton, another situation where young kids were tragically trapped and killed in that fire.

We had, yesterday and today, the mayor of Brampton telling anyone who'd listen that the new Bill 120 does not solve the problem that he has and that has been pointed to by a number of municipal leaders, fire chiefs, coroners and others.

Minister, in light of the fact that we have yet more evidence that people—unfortunately too large a group of kids—are being put in dire jeopardy, and in these cases being killed, because local authorities do not have adequate information and adequate capacity to get at the problem of unregistered basement apartments in their communities, will you today commit, on behalf of your government, to bring forward or to support legislation that will produce the mandatory registration of basement apartments in every and all municipalities in the province?

Hon Evelyn Gigantes (Minister of Housing): The events that have happened over the last few months which have taken lives, and as the member notes very young lives, have brought home to all of us the terrible situation that exists in the province of Ontario which has been created over years in which it was illegal to have apartments in houses because of zoning. We have changed that. That does not solve the problem, as the member says and as we all recognize.

Once the bill has been proclaimed and the new fire code regulations that are attached to that legislation are put in place, we will have a situation in which the tenants in particular who are living in situations like that and are aware—I don't know if the member watched television last night, but I saw one of the tenants of that building talk about her knowledge of the matters in the building which raised questions in her mind long before this

incident happened. Tenants have been in a position where they have been afraid to call fire officials, afraid to call building inspectors, because they knew the apartments were illegal because of zoning.

The member is right that passage of a bill doesn't solve the problem. But I would like to ask the member: If we passed a piece of legislation saying to a landlord who had not taken these precautions, "You must be registered," does he believe that magically would solve the situation?

1350

Mr Conway: I watched the news last night, but maybe more importantly, I listened to the testimony offered to the standing committee around Bill 120. What I heard there was the Mississauga fire chief, Chief Hare, representatives of the Association of Municipalities of Ontario and coroners all say that more needed to be done and that the one thing we as a provincial Legislature and as a provincial government could do was to impose a mandatory registry of all basement apartments in the province so local authorities would know what they were and where they were and so local authorities could ensure that before those basement apartments were rented, they were brought up to standard.

In light of what the municipal association has said, in light of what the Ontario Association of Fire Chiefs has said, in light of what coroners have said about the first order of importance of a mandatory registry for basement apartments, will the minister, on behalf of the government, bring forward that policy or will she support a Liberal private bill to make a mandatory registry of all basement apartments in the province of Ontario the law of the land, and as quickly as we can do it?

Hon Ms Gigantes: I would like to ask the member to think this through. What we're all concerned about here is making sure the existing apartments, which have up until now been illegal, come forward into the light of day. I suggest to the member that the way that is going to happen is not through passage of some piece of legislation here which creates another state of illegality, which is the lack of registration, which is what he's proposing. In other words, what he's saying is they wouldn't be illegal because of zoning any more, but we'll make them illegal because they haven't registered yet.

Let me suggest to the member, if he thinks this through, that the penalties attached to the fire code regulations which are associated with this legislation are very stiff. What that means is that any landlord, be that the landlord of a building with 100 units or be that the landlord of a building with two units, has a legal responsibility to make sure the fire regulations are met. Tenants can now call and, because of their status under this legislation, make sure that this is done.

Mr Steven W. Mahoney (Mississauga West): I don't know how long we have to listen to the seemingly uncaring arrogance of this minister. I just can't get over it. Why won't you listen to the people on this matter? Why won't you listen?

The municipal councillors and mayors have begged you to deal with this, and you accuse them of supporting

snob zoning. That's your flippant reaction to them. The fire chiefs have begged you to deal with this. Your own coroner wrote you a letter begging you, imploring you, to install a municipal registry so that the municipalities and the fire departments around this province could find out where these deathtraps exist and clean them up.

Why is it, Minister, that you think you, Evelyn Gigantes, have all the answers? Are you that arrogant? This is intolerable.

The Speaker (Hon David Warner): Order. Would the member take his seat, please. The member will know, first, that he should not refer to another member of the House by the person's name, but rather the title or position. Secondly, I know the member would prefer that the question be placed and not cloud the issue with language that is not helpful at all.

Mr Mahoney: Mr Speaker, I will withdraw the use of her personal name and refer to the minister being the one who is being arrogant in this regard.

Minister, I have a very simple, straightforward question. I will be introducing a private member's bill that, if passed, would put in place a central registry for every one of these basement apartments, for every one of these firetraps, these deathtraps, in this province. Will you support that private member's bill? I'll be introducing it later today.

Interjections.

The Speaker: With a serious issue before the House, I am sure that both sides would like to deal with the issue and not deal with language which is provocative and creates disorder. I would ask members on both sides of the House to try to deal simply with the issue at hand and to not use language that provokes either side.

Hon Ms Gigantes: The simple answer to the member's question is no, I would not support it. Let me explain why, if I might, Mr Speaker. In spite of the shouts from opposite, let me explain why.

Mr Mahoney: You're disgusting, you know that?

Hon Ms Gigantes: The member says I'm disgusting, Mr Speaker, but perhaps he'd like to listen to an explanation—

The Speaker: Order, the member for Mississauga West.

Hon Ms Gigantes: —if he cares to listen.

Interjection.

Hon Ms Gigantes: He continues to call me disgusting, Mr Speaker, but I will proceed in any case and assume there's some element of goodwill over there.

The situation has been that we have had an underground economy which previous governments have refused to act on. We have acted on it in Bill 120. Apartments in houses will become legal if they are safe now. They will not be illegal because of zoning, and I do not wish to see a situation where they become illegal because of the lack of a registration. I want tenants in this province and responsible owners in this province who would like now to be able to take responsible motions, consult properly with fire officials and move forward to ensure that health and safety standards are met in base-

ment apartments—I want to see all those things happen, Mr Speaker.

We will work with the municipalities. The fire marshal's office has regulations that are being prepared now to go with the bill. When the bill is proclaimed, those will be in effect. This is going to be a slow process, but we know what direction it's headed in: It's in the right direction. Instead of hiding this problem and allowing people to die for years, we're addressing the problem.

ONTARIO HYDRO PROJECTS

Mr Sean G. Conway (Renfrew North): My second question today is for the Minister of Environment and Energy and it concerns the ongoing adventures of Chairman Mo and the Costa Rican rain forest.

Minister, you will know, as all members of the House will know, that Chairman Maurice Strong at Ontario Hydro remains unrevised and unrepentant about his Costa Rican adventure. He has in fact said that his interest in buying a piece of the Costa Rican rain forest is part of his "new Ontario Hydro."

My constituents in the Ottawa Valley were pleased to hear that your colleague the Minister of Economic Development and Trade thought it was cockamammy, that she was astounded and that she would hope the proposal would become a dead letter.

Minister, as the responsible cabinet officer for this policy field, I'd like you to tell the House and the Hydro ratepayers and the provincial taxpayers in Ontario what your views are about the efficacy and about the appropriateness of Ontario's electrical utility thinking about buying a piece of a rain forest in Central America.

1400

Hon Bud Wildman (Minister of Environment and Energy): The member opposite will know there has been no proposal made either to the Ontario Hydro board or to the government with regard to the purchase of rain forest in Central America. However, it is true that the corporation, in its concern for sustainable development, has explored a number of options internationally which would make it possible to ensure the corporation contributes to the efforts to contain global warming and to offset greenhouse gas emissions.

The member asked me directly what my view is. I would say that I have significant reservations about any such proposal in light of the financial situation of Ontario Hydro, which the chair of Ontario Hydro, who is a very competent and capable individual, has finally taken in hand, acting, unlike previous chairs and previous governments, to control the expenditures and to improve the economic situation of Ontario Hydro.

Mr Conway: It is true to say that not Adam Beck, not Bob Saunders, not Milan Nastich, no one that I'm aware of in the 75- or 80-year history of Ontario Hydro has ever before gone out and thought about buying a piece of a rain forest in Central America. That is true. Not even Marc Eliesen wanted to do that.

I want to say in my question that, speaking for the people I represent in the Ottawa Valley and the people in the Algoma district that the minister has proudly represented for a long time, we'll be happy to hear the Minis-

ter of Environment and Energy and we'll be happy to hear the Minister of Economic Development and Trade had reservations, and that in the case of the Minister of Economic Development and Trade, she was astounded that at this time, this corporation, Hydro, was out there actually spending time and some money thinking about buying a piece of the Central American rain forest.

Minister, would you tell my constituents in the Ottawa Valley, would you tell your good friends in Dubreuilville and Bruce Mines, why you and your colleague the Minister of Economic Development and Trade should not prevail? Will you not rein Chairman Mo back from the rain forest and focus more of his time and his energy on the several domestic problems that afflict the giant electrical utility?

Hon Mr Wildman: The member presumes to know what thought processes have crossed the minds of all chairs of Ontario Hydro since Sir Adam Beck. I don't presume to know those kinds of things.

I would tell you this: that it is Maurice Strong and the management of Ontario Hydro and this government that have done more to rein in the expenditures of that corporation than any other in the past, and I don't have to take any lectures about reining in Ontario Hydro or the chairman of that corporation from a member of a government that approved the finalization of a construction project that cost the ratepayers of this province \$14 billion and was never needed.

Mr Conway: As my late friend Jim Bullbrook would say, "Help me understand." Help me understand and help the taxpayers of Ontario and the ratepayers of Ontario Hydro to understand this: that in the spring of 1994, as we face the rigours of an ongoing recession, the problems of a social contract, rural hospitals in your area and in mine that face problems in terms of providing services, an electrical utility that is shedding all kinds of people and facing all kinds of debt and all kinds of problems and pressures—in light of that and all of the other things that clutter the domestic, Hydro and political agenda, does the minister not understand that in downtown Bruce Mines or in downtown Beachburg, Ontario, there is not something Kafkaesque, something hallucinogenic, about a senior Ontario official, the chairman of Ontario Hydro, wandering off into Central American rain forests and saying, "This I must have to meet the pressing needs of my electrical utility thousands of kilometres north there in Bob Rae's Ontario"?

Hon Mr Wildman: This is a bit of a tempest in a teapot. For one thing, there is no proposal. There has been no proposal to the Ontario Hydro board or to senior management. There has been no proposal to the government. There has been some thinking in Ontario Hydro about how it responds to global warming, which is a global problem and a problem that all utilities around the world must deal with.

There have been many options made available in terms of the thought processes, as the member referred to them, in Ontario Hydro, but they are very preliminary in any kind of thought processes. There is no proposal; there has been no proposal. This government has not taken a policy position which would allow for offsets for greenhouse gas

emissions. So there is nothing to stop and nothing, at this stage, to be worried about.

The Speaker (Hon David Warner): New question, third party.

Mr Chris Stockwell (Etobicoke West): I'd like to follow up on Mo and Bud's excellent adventure; that's the Minister of Energy. Let's just have a little chronology on the Costa Rican affair.

When it was first asked by myself, you said you didn't know what I was talking about, and that's probably as fair an answer then as we've had to date. Then you said outside the Legislature it wasn't in fact happening. Then you said it was happening, but it had nothing to do with Hydro. Then Hydro said yes, it was a Hydro project. Then Hydro said, "It's not 12,500 hectares; it's just a small piece of rain forest." Then the Costa Rican embassy said, "No, it is in fact 12,500 hectares they're looking to buy." Then Mr Strong said, "Everybody butt out; I'm in charge here."

Today, Mr Minister, I say to you that's not correct; you're in charge here. I say to you, what is in fact going on? If you are in charge and you don't agree with this project and Minister Lankin suggests that it is probably not the wisest expenditure of public dollars, why can you not stand in this House and tell the people of the province of Ontario, who I don't think unanimously support this project, that it won't happen? Why do we get rhetoric? Can't you just say to us: "Put this at rest. This purchase of Costa Rican rain forest for \$10 million or \$12 million will not take place under a Bud Wildman-led Energy government"?

Hon Mr Wildman: The member is quite right: I am the Minister of Energy. He is quite wrong in referring to this as a project. There is no such project.

Mr Stockwell: Okay, I'm going to have to fix the chronology here. I guess we're kind of back to you don't know what I'm talking about, because this project is taking place. According to Maurice Strong, yes; everyone has their head in the sand but Mo. I think if you're going to be part of this adventure, maybe you'd better get yourself briefed, because as I understand it, this project is happening.

As well, I might add, there appears to be another project taking place. This project is taking place in Malaysia. It was reported in the Ottawa Citizen today that Ontario Hydro is looking into construction of a giant dam in Malaysia.

Get this: Here we have a government that is looking to buy a rain forest in Costa Rica for environmental reasons. The same arm of this government is now looking to construct a dam in Malaysia and that dam in Malaysia would result in the destruction of thousands of acres of rain forest.

1410

Let me try and help you on this one. You're buying land in Costa Rica to preserve rain forest and you're involved in developing a site in Malaysia to destroy rain forest. Why don't you not get involved in the dam, don't buy the land in Costa Rica and we'll have as much rain forest as before you started?

Hon Mr Wildman: I understand that yesterday in the House, the member for Renfrew North requested that we provide a list of joint implementation projects around the world that Ontario Hydro International is involved in. We have requested Mr Strong, the chair of Ontario Hydro, to provide that information to us and to the member.

The member is correct that there is a proposal for a hydrological operation, a development in Malaysia. As I understand it, no final decisions have been made. As he well knows, it is within the mandate of Ontario Hydro International to market its expertise with regard to energy development around the world, but we fully expect that Ontario Hydro International, in making decisions on whether or not to participate in projects, will apply the same kind of environmental standards that would be applied here in Ontario.

Mr Stockwell: Can I take that to mean the Malaysian project will not go ahead because there's destruction of the rain forest involved? The answers are not as forthcoming as I would have expected, having waited two days for the minister to get back and the questions fobbed off by other ministers.

The question firstly was put about Costa Rica and the answer was, "It's not happening." It's happening in everybody's mind except the minister's, because Mr Maurice Strong has said categorically he's pursuing this matter and he's going to pursue it and others have their heads in the sand with respect to the ecological soundness of the deal.

The Malaysian project is in fact a construction project that Ontario Hydro is negotiating to participate in, a construction project—not selling expertise; they're going to be involved in the construction of this dam.

The minister says no. I ask him to respond. That was outlined by Mr Strong yesterday as he exited the energy board hearings.

I say further, what we have here is a very public expenditure and a very public profile taking place about the purchase of rain forest property in Costa Rica. We also have as the head of Ontario Hydro a man who has personal involvement in Costa Rica as well and personal involvement as far as money is concerned.

I ask the minister, would it not seem reasonable to suggest to the chairman that when he's talking about spending millions of taxpayers' dollars in Costa Rica and he has personal investment in Costa Rica, there could be the perception of a conflict of interest? To ensure that there's no conflict of interest, would he not suggest to the chairman that he put his holdings in Costa Rica in a blind trust to ensure that there's no conflict of interest and to ensure that the public dollars that are spent are spent wisely and without the thought of a conflict of interest? I ask the minister directly.

Hon Mr Wildman: I must say that first, the member should be very careful in the way he presents questions in the House. To imply that somehow there is a conflict of interest involving Mr Strong, who is well known to have had holdings in Costa Rica for many years, is just unacceptable. There is no conflict of interest in the view of the government and the member should know that

Ontario Hydro itself has very stringent rules with regard to conflict of interest and any further questions about this matter I would hope the member would place outside the House and directly to Mr Strong.

In response to the question about whether or not we—
Interjections.

The Speaker: Order.

Hon Mr Wildman: With regard to the operational decisions of Ontario Hydro, the members opposite know full well that Bill 118 does not make it incumbent upon the minister or the government to give operational directions to the corporation. That is the responsibility of the Ontario Hydro board.

As I understand it, the project that is alluded to by the member opposite regarding Malaysia will be dealt with in June by the Ontario Hydro board. At this time, no decision has been made with regard to Ontario Hydro's participation in that project. I reiterate, there is no project in Costa Rica. No proposal has been made to the board. No proposal has been made to the government. There is no project in Costa Rica.

ACCESSORY APARTMENTS

Mr David Johnson (Don Mills): My question is to the Solicitor General. It concerns the tragic fire in Brampton recently, it concerns the death of the two young brothers and it concerns the three fires and the six deaths in the last five months.

Minister, you know that in the province of Ontario there are over 100,000 basement apartments. Many of these are substandard and most of them have not been inspected. During the debate on Bill 120, we put forward suggestions such as registering the apartments and permitting an inspection, but you rejected those. We put forward suggestions of simply granting to the fire chiefs the right of entry to go in and to inspect and to make sure that these basement apartments were safe, and unfortunately you rejected that suggestion as well.

Minister, my question to you is, in light of this tragedy, will you give us a commitment that when the Fire Marshals Act is revised and comes forward, you will include in it provisions allowing the fire chiefs across the province of Ontario the right of entry to these basement apartments to inspect them and to make sure they're safe?

Hon David Christopherson (Solicitor General): I welcome the question from the honourable member. As has been stated in the House before, there was an expert panel of firefighting experts, including chiefs and others, under the leadership of the Ontario fire marshal. Their recommendations were the ones received by my ministry and the Ministry of Housing.

Let me say to the member very directly that it is the position of the Ontario fire marshal that indeed the provisions that are currently in law are adequate for the purposes that the member has brought forward here today.

Mr David Johnson: The minister has mentioned the Ontario Association of Fire Chiefs. Let me quote to the minister what they say. They made a presentation to us during Bill 120.

Sudbury's fire chief, Don McLean, spoke on their

behalf just this past January. He said: "Bill 120 must contain provisions allowing local fire inspectors the right of entry to inspect such premises. At present most of these apartments have never been subjected to any form of fire or life safety inspection." He said they must have the right of entry. That's the fire chiefs of the province of Ontario.

Let me quote from the Brampton brief, and this is said, Mr Minister, because the city of Brampton went on record this past January. Their brief said:

"By not permitting the municipality to regulate or enter accessory dwelling units, it will be very difficult for the municipality to inspect and monitor these units. This is a dangerous situation, since many of these units are created without the benefit of appropriate permits and many do not comply with the basic construction standards."

1420

Minister, they're asking for the right of entry—the fire chiefs of Ontario, the city of Brampton, the cities across this province. I ask you once again, when the Fire Marshals Act comes forward, will you place in there the right of entry for the fire chiefs and the municipalities?

Hon Mr Christopherson: At the risk of turning this into duelling quotes, let me also read a quote from Ontario's top firefighting official, the fire marshal of Ontario. He said at the legislative committee—

Mr Cameron Jackson (Burlington South): He's a civil servant.

The Speaker (Hon David Warner): Order, the member for Burlington South.

Hon Mr Christopherson: Let me read the quote from the fire marshal at the legislative hearings that were conducted. "At this time, it is our opinion that the enforcement provisions of the Fire Marshals Act provide a reasonable balance between the need for access" and an individual's right to privacy.

The government listened to the advice of the fire marshal, we adhered to his advice and that is the course of action we are taking.

Mr David Johnson: I have discussed the Fire Marshals Act with fire chiefs in Ontario, from the city of Ottawa, the fire chief of the city of Ottawa, the city of Mississauga, the borough of East York and other municipalities as well. Let me tell you their problem.

Number one, they don't know where these apartments are, but beyond that, during routine home inspections, when they knock on the door and ask to gain entry, the only way they can gain entry is to obtain a search warrant unless they're expressly permitted to go in.

They are insistent about the Fire Marshals Act, and the advice that they're getting from the fire marshal's office and from the fire marshal himself is that unless there is a visible problem—smoke billowing out a window, flames—they do not have the right of entry. Let's be clear on that, Minister. They do not have the right to go in unless there is a very visible problem. All the fire chiefs are adamant. That is no balance.

Minister, how can you hide your head in the sand and reject all this advice from all the fire chiefs across the

province of Ontario? Will you please reconsider? When you amend the Fire Marshals Act, give them the balance, yes, but allow them the right of entry to inspect and make these units safe.

Hon Mr Christopherson: Let's be very clear on what the honourable member is suggesting. He is suggesting that whether or not there is an imminent potential danger to property or persons, it is his opinion that someone, I grant you a fire official, would have warrantless entry into that home, would be able to walk through that door with legal impunity and march into someone's home. That is a very, very severe right that you give to someone when there is not a life at risk or serious property damage at risk.

If they did not have the ability, if they did see the smoke, if they believed that there was imminent danger, then I would say the honourable member was very correct in raising the issue. They already have that right. They also have the right, if there's not imminent danger, to go before a justice of the peace, make the case, get a warrant and then enter. But the idea that they would directly enter without that warrant and without imminent danger is a position rejected by the Ontario fire marshal and also rejected by this government.

PHOTO-RADAR

Mr Sean G. Conway (Renfrew North): A new question to the Minister of Finance: We're told by our friends in the media that unofficially summer begins this weekend, so hundreds of thousands, probably millions, of Ontarians will be taking to the highways of the province. Therefore, I think it timely to ask a revenue question of the Chancellor of the Exchequer.

The government is quick to point out that it has a no-tax-increase budget before the House, tabled by the chancellor just a few weeks ago, but in a budget briefing, his officials allowed as to how for a half-year, this year 1994, treasury expects to take 66 million new dollars from that technological wonder called photo-radar. In fact, the NDP chairman of the finance committee said a few weeks ago that he had heard about those numbers and he thought from a revenue point of view this photo-radar would be better than the slot machines you've got cranked up now in Windsor.

My question to the minister is: Since Ontarians are taking to the roads this weekend, since they know that the testing is to begin this spring and the actual fining is to start some time a little bit later this spring or early summer, will the Treasurer confirm that in fact you do expect to take in \$66 million in the remaining part of this year and \$130 million over a full year, or about \$2 million a week, from this new revenue source?

Hon Floyd Laughren (Minister of Finance): I would confirm a couple of things to the member for Renfrew North. One is that when the Minister of Transportation initiated this safety initiative for the province, I remember being completely taken aback and surprised to learn that one of the coincidental byproducts of this project would be increased revenues for the treasury of the province.

I'm not sure that the amount of extra revenue that the member for Renfrew North refers to of \$66 million is

spot on what our projections are, but I can confirm to him that, yes, there will be some additional revenues from this safety initiative.

Mr Conway: Your officials said in the budget briefing that for a half-year, they expect \$66 million. That would be \$130 million over a full year of new revenue, picked from the pockets of Ontarians by a government that says it has a budget with no new taxes.

We have more and more literature from Calgary and from elsewhere which points out that photo-radar produces much fewer safety benefits than have been advertised. Oh, yes, it's clear from the literature this is a revenue matter much more than it is a safety question.

My supplementary quite frankly is either to the Treasurer or his colleague, the Minister of Transportation, who's probably gotten off his car phone to Brazil, and it's a timing question, since we are all flooding to the roads this weekend and this summer. When will this Rae-cam, Laughren-scam photo-radar actually start picking the pockets of Ontario citizens?

The Speaker (Hon David Warner): Would the member complete his question, please.

Mr Conway: Can you give us a more precise timetable as to when this new, very technological revenue wonder is going to actually start picking our pockets?

Hon Mr Laughren: This safety initiative will begin in the very near future. It was my hope that it would commence within about 10 minutes after the member for Renfrew North leaves to drive home this weekend.

ANTI-RACISM ACTIVITIES

Mr Charles Harnick (Willowdale): My question is to the Minister of Education and Training. It was reported in today's Toronto Sun that a Peel regional elementary school teacher instructed her grade 4 students to paint swastikas on Easter eggs. Minister, would you explain to me what actions you've taken to investigate this matter?

Hon David S. Cooke (Minister of Education and Training): First of all, let me indicate to the member that none of us in the Legislature approve or condone any of this type of behaviour.

As the member will know, because this is not the first instance of things like this happening in our school system, there are policy frameworks that exist, and boards are expected to follow those policy frameworks.

I've read the article in the paper. I have some initial information from the ministry. Obviously, we want to see what is done at the local level, but beyond that, I need to get more information from my ministry.

1430

Mr Harnick: This is the second example of a teacher who has acted in an inappropriate manner in dealing with racially sensitive issues. I'm sure the minister recalls Paul Fromm. The parent of the child who brought this issue forward wonders if anything else hateful is being subtly said or taught. I would like to know what actions the government is taking to ensure that incidents of this type will stop and never occur again.

Hon Mr Cooke: The member will remember the very substantial action that was taken by my predecessor with

respect to the Paul Fromm case and so forth. You will remember the process that was put in place. We have also in this Legislature passed an amendment to the Education Act, Bill 21, which gave the power to the Ministry of Education to have boards of education develop antiracism policies at the local level. We've developed the province-wide policies, and boards are working with those documents.

I don't think, to be entirely fair, that any Minister of Education or any other member of this place can say to you that there's an action we can take that will prevent any of these actions ever occurring again in a school system where there are two million students and 142,000 teachers. What we need to do is work together on policy development, education and tolerance in our school system. All of us, you and I, have a role to play in that.

FEDERAL HIGHWAY PROGRAM

Mr Bob Huget (Sarnia): My question is to the Minister of Finance. Minister, you're no doubt aware of the huge amount of spending this government is doing in terms of rebuilding roads in this province, making investments in infrastructure, not the least of which is in good highways and roads.

You'll also know that New Brunswick has proposed a national highways program. I was surprised to hear this morning the federal Minister of Transport, Doug Young, quoted on CBC Radio as saying that Ontario was responsible for blocking that national highways program. Is that true? If it is, why are we blocking it?

Hon Floyd Laughren (Minister of Finance): I was surprised to hear that report as well. New Brunswick had raised this issue at the last meeting of all finance ministers with the federal government in January and it's to be on the agenda again, I believe, at our next finance ministers' meeting in June, so I was surprised to hear it. If my memory serves me correctly, the federal Minister of Transport represents a constituency in New Brunswick. Perhaps that sheds some light on his public statements.

I must say that at that meeting in January a number of provinces expressed very serious concerns about the New Brunswick proposal, so it's ludicrous to think that Ontario would be the only one expressing concerns. I imagine that every single federal Liberal MP from Ontario will be talking to Mr Young this week about that particular proposal, because what it is is another form of the backdoor equalization payments which this federal government and the previous federal government have been doing to this province. We are going to stand up for Ontario's fair share in this regard.

Mr Huget: It's a day of surprises. I have another surprise for you. Mr Young was also quoted as having said that ever since Ontario started insisting on its fair share, this province has been making federal-provincial negotiations impossible. I can't follow the logic in that. Can you give me an accurate description of what's really going on here?

Hon Mr Laughren: I was disappointed by the federal minister's comments, because if there's one thing this province has been committed to—not just this government, but previous governments as well—it has been the

principle of equalization all across this country. We remain committed to that.

What we are not committed to, and what we will not tolerate, is any federal government that tries to turn every single cost-sharing program into an equalization program. That we will not allow. I would hope that all the federal members of Parliament from Ontario will be saying to Mr Young at the next caucus meeting, "Enough is enough," because I'll tell you something. The amount under the New Brunswick proposal, which apparently Mr Young, the federal Minister of Transport, is endorsing, would provide to this province on a per capita basis about \$263 worth of funding and I believe for New Brunswick in excess of \$1,500 per capita. That is not what I call fair treatment for the people of this province, and we will continue to stand up and insist that Ontario gets its fair share out of this Confederation.

LANDFILL

Mr Steven Offer (Mississauga North): I have a question to the Minister of Environment and Energy. Minister, my question deals with the issue of leachate contamination through the operation of the Innisfil landfill site near Barrie. I've been contacted by the Hodgson family, who have indicated that they purchased property near the Innisfil landfill site in 1991 after receiving assurances from your ministry that the landfill site did not pose a threat to the environment or public health and safety.

Interestingly, as an aside, it has now been found that testing by your ministry in that same year revealed that the leachate was about to trespass on to the Hodgson property. A large plume of contaminated groundwater has now run from the site on to their property.

What actions are you prepared to immediately take to protect the health and safety of the innocent people from this leaking landfill site?

Hon Bud Wildman (Minister of Environment and Energy): The member raises a very important question, and I would indicate to him that I will research the issue and determine whether the facts are as he understands them. If they are, they are indeed very serious, and I can assure him that the ministry will take whatever responsible action is required to protect the health and safety of all individuals in the province. I would be happy to report back to him.

Mr Offer: I will look forward to the minister's report back to the Legislature in very short order.

Minister, you have an obligation, a responsibility to the area families, and to date you have done nothing. This toxic material is moving at 100 feet per year on to adjacent properties. The people who live around the Innisfil landfill site depend on wells for their drinking water. These wells draw their water from supplies that will soon be contaminated by the toxic materials that are being leaked by the Innisfil landfill site.

We require your assurance, your commitment today to the residents who live around the Innisfil landfill site that you will take all action necessary so that their drinking water will not become contaminated.

Hon Mr Wildman: I think I gave that assurance. But the member will know that in terms of the appropriate action, it is incumbent upon the ministry to determine who is responsible and to attempt to ensure that if there is danger and if a cleanup is required, the person or persons responsible take that action. On those few occasions where we cannot determine such responsibility, it is the ministry's position that the ministry will take the appropriate action, if required, and then try to recover the costs if afterwards we can determine who is indeed responsible.

1440

WORKERS' COMPENSATION

Mrs Elizabeth Witmer (Waterloo North): My question is for the Minister of Labour. Almost a year ago, the Premier requested that his labour-management advisory committee, the PLMAC, look into the mess at the WCB. In a report that was released last November, the business caucus of the PLMAC confirmed that the system is bankrupt and is set to collapse. They advised that the system is technically bankrupt and owes workers \$11 billion more than it has money to pay them. The debt is growing at the rate of \$2 million a day, and this will triple in the next 20 years. Without fundamental reform, there will not be enough money to pay injured workers unless the taxpayer of Ontario assumes the payments.

Can you explain why you ignored the recommendations of business to reduce the unfunded liability to zero by the year 2014? Why have you placed the future of workers' benefits at risk?

Hon Bob Mackenzie (Minister of Labour): I'm not sure the member across the way understands the situation at the board or what exactly we're doing.

The recommendations made in this House in the legislation yesterday are designed to come to grips with what is a financial problem, although I wouldn't say the board is broke, but certainly to come to grips with that particular problem and, at the same time, do it in a balanced way that looks at the concerns of injured workers as well. There are problems there, as well as with the unfunded liability at the board. That's exactly what we're doing, which is something her government never moved on in the years it was there.

Mrs Witmer: Minister, I believe you've missed the point. There is an \$11.5-billion unfunded liability, and your government refuses to take action and it places injured workers and their benefits at extreme risk.

When the Premier spoke about the reforms last month, his business leaders, his hand-picked leaders, immediately denounced his plans. In fact, they went so far as to issue a press release distancing themselves from his efforts. Mr David Kerr, the president and CEO of Noranda, said: "This is fiscally irresponsible and it puts future security of benefits for injured workers at grave risks."

Your reforms, the ones introduced by the Premier and by yourself, do not recognize the depth of financial peril. Your suggestion that you're saving \$18 billion is nonsense. Even your best estimates show that after 20 years the unfunded liability will actually increase by \$13 billion. How can a \$2-billion increase turn into an \$18-billion saving? That's pure voodoo.

The Speaker (Hon David Warner): Could the member place a question, please?

Mrs Witmer: When your hand-picked business advisers told you the system was crumbling, that workers' benefits are at risk, why did you not listen? Why did you add an immediate \$1.5 billion to the unfunded liability with benefit increases?

Hon Mr Mackenzie: We have made it very clear that the unfunded liability would be reduced by about \$18 billion. The difference that the member across the way seems to miss altogether is that instead of the about 33% or 34% funding that exists now, it will be better than 55% by the year 2014, and that's part of the effort to come to grips with the unfunded liability.

I might also point out that the Friedland formula and the early return to work, which are the measures being used to assist in this case, are recommendations that were supported by management as well as labour.

ROLE OF INDEPENDENT MEMBERS

Mr Will Ferguson (Kitchener): My question is to the government House leader. The government House leader will know that some months ago a committee of this assembly met and looked at the role of the independent member in the Legislative Assembly of Ontario. Out of that committee meeting came a number of recommendations to the government, and not only the government House leader but also the House leaders of the Liberal Party and the Conservative Party. Contained within those recommendations was a report to you that suggested that the Speaker ought to be given, in a formal way, a little bit of latitude in letting independent members ask questions in the assembly, much the same as currently exists in the federal House.

I ask the government House leader today, Mr Speaker, when he expects that he and the House leaders of the other two parties will finally discuss the matter and make their recommendations to you.

Hon Brian A. Charlton (Government House Leader): It's a useful question the member asks. In the position he finds himself, I suppose it's also important that he understand, from the perspective of the three House leaders and the discussions we've had, where we're at.

Mr Speaker, as you're aware, this matter was discussed privately with you a little over a year ago, and the committee has done some work. The committee has not recommended anything substantially different from what we had informally worked out with you, and from that perspective it was the feeling of the three House leaders that we would watch the way that informal arrangement was handled here in the House to see if we felt that on the one hand the independent members and on the other hand the regular affiliated members of this Legislature were well served before making any final decisions about how to proceed—that the informal arrangement we had with you should be viewed and understood.

SOCIAL ASSISTANCE REFORM

Mrs Yvonne O'Neill (Ottawa-Rideau): My question is for the Minister of Community and Social Services. Mr Minister, on Thursday, May 5, 1994, the very day the

budget was presented, you sent me a letter stating, "I will not be proceeding to merge the existing provincial family benefits assistance and the general welfare system into one delivery system."

This fundamental cornerstone of assistance reform is a recommendation of your very own documents Back on Track and Time for Action. You yourself stated on July 8, 1993, as you launched Turning Point, that "the Ontario adult benefits will be simpler and less costly to administer than the benefits provided under the current system." You stated that "the current system is an expensive system." Minister, why did you choose what you yourself have described as the most expensive option, the do-nothing option?

Hon Tony Silipo (Minister of Community and Social Services): We've had occasions in this House many times to talk about what has been happening to this government as a result of actions by the federal government. As we've looked at what we had projected being able to do on the social assistance reform, we've had to look at that in the context of not only what the federal government has said to us it is going to do but also what it is clearly indicating it's not going to do in terms of providing us with the kind of funding it should. In looking at the initiatives we wanted to undertake, we've had to scale back on what we've managed to do.

We are going to be proceeding, as that letter also indicated, with Job Link, which will be a very significant set of initiatives that will assist people in moving off dependency on social assistance.

The basic answer about why we're not proceeding to move towards one system is that there would be some significant costs up front for us to do that, and we can't justify in these times spending those dollars to do that. We are, however, going to proceed with the initiatives we outlined in Turning Point under Job Link, and we hope the other initiatives, which we have not been able to move on now, are things that will continue to be addressed through the federal reform that is taking place. We are continuing to make our views very clearly known to the federal government in that process, as we've had occasion to discuss in this Legislature many times.

PETITIONS

KETTLE ISLAND BRIDGE

Mr Gilles E. Morin (Carleton East): I have a petition addressed to the Parliament of Ontario:

"Whereas the government of Ontario has representation on JACPAT (Joint Administrative Committee on Planning and Transportation for the National Capital Region); and

"Whereas JACPAT has received a consultants' report recommending a new bridge across the Ottawa River at Kettle Island which would link up to Highway 417, a provincial highway; and

"Whereas the city and regional councils of Ottawa, representing the wishes of citizens in the Ottawa region, have passed motions rejecting any new bridge within the city of Ottawa because such a bridge and its access roads would provide no benefits to Ottawa but would instead destroy existing neighbourhoods;

"We, the undersigned, petition the Parliament of Ontario as follows:

"To reject the designation of a new bridge corridor at Kettle Island or at any other location within the city of Ottawa core."

I will affix my signature to the petition.

1450

SEXUAL ORIENTATION

Mr David Tilson (Dufferin-Peel): I have a petition of 69 signatures from my riding of Dufferin-Peel and it's addressed to the Legislative Assembly of Ontario:

"Whereas traditional family values that recognize marriage as a union between a man and a woman are under attack by Liberal MPP Tim Murphy in his private member's Bill 45; and

"Whereas this bill would recognize same-sex couples and extend to them all the same rights as heterosexual couples; and

"Whereas the bill was carried with the support of an NDP and Liberal majority but with no PC support in the second reading debate on June 24, 1993; and

"Whereas this bill is currently with the legislative committee on the administration of justice and is being readied for a quick passage in the Legislature; and

"Whereas the bill has not been fully examined for financial and societal implications"—

Interjections.

Mr Speaker, I can't even hear myself read this petition.

The Speaker (Hon David Warner): Order. Stop the clock please. This is the part of the routine proceedings for members to present petitions. If there are private conversations which are important, I would ask members to hold those private conversations outside the chamber.

Mr Tilson: Mr Speaker, I intend to read this petition again, because I don't think they heard what I said. It's addressed to the Legislative Assembly of Ontario:

"Whereas traditional family values that recognize marriage as a union between a man and a woman are under attack by Liberal MPP Tim Murphy in his private member's Bill 45; and

"Whereas this bill would recognize same-sex couples and extend to them all the same rights as heterosexual couples; and

"Whereas the bill was carried with the support of an NDP and Liberal majority but with no PC support in the second reading debate on June 24, 1993; and

"Whereas this bill is currently"—

Mr Steven W. Mahoney (Mississauga West): On a point of order, Mr Speaker: During question period, you admonished me for referring to the Housing minister as Evelyn Gigantes. You stood up and said that it was improper to use members' names in this place. The member is doing the same thing with regard to our member in this situation. He's using his personal name instead of his riding. I would appreciate it if you would treat them in the same fashion as you treat us.

Mr Tilson: I'd like to speak on that point.

The Speaker: No. I appreciate the member's assistance, but it really isn't necessary. The rules are quite clear. Members are not to refer to other members of the

House by their personal name. What they should do is to refer to members either by title or the name of the constituency. Quite frankly, that is often not adhered to. I would ask members to adhere to that rule. Had the member completed the reading of his petition?

Mr Tilson: Mr Speaker, I'm reading this petition that was submitted to me by 69 constituents in my riding. I'm reading it word for word.

Mr James J. Bradley (St Catharines): Who wrote it?

Mr Tilson: I did not write this petition. This was written by the constituents of my riding of Dufferin-Peel.

Interjections.

The Speaker: Would the member read the petition, please.

Mr Mahoney: It was written by Tory research and you know it.

Mr Tilson: It was not. It was written by the people of my riding of Dufferin-Peel.

The Speaker: Would the member take his seat.

Interjections.

The Speaker: No. The clock will continue to run. If members wish to have the opportunity to present petitions, the House must come to order. Would the member for Dufferin-Peel read the petition.

Mr Tilson: On a point of privilege, Mr Speaker: The member from—wherever he's from—

Mr Mahoney: Mississauga West.

Mr Tilson: I have a number of people from my riding of Dufferin-Peel, and I'm specifically referring to A. Buckingham of Orangeville and Jason Knox of Orangeville. This member has impugned these people for submitting this petition in this Legislature. I am most annoyed and I think my privilege has been affected as a result of his standing in his place and accusing these people of doing improper things.

The Speaker: The member will know that there is no point of privilege. The best process to follow here is that members stand, read the petition and inform the House whether or not they wish to affix their own name to the petition. That's all that's required. No editorializing. Would the member please read the petition.

Mr Tilson: This is a petition addressed to the Legislative Assembly of Ontario:

"Whereas traditional family values have recognized marriage as a union between a man and a woman"—

Mr Mahoney: Mr Speaker, on a point of order.

The Speaker: A point of order? What order?

Mr Mahoney: Mr Speaker, this petition has already been read. They continue to read the same petition with the identical wording from members all throughout the Tory caucus. It was written by Tory research and sent out to people to be signed and brought back in, and it's misleading.

Mr Ernie L. Eves (Parry Sound): A point of order, Mr Speaker.

The Speaker: I haven't finished with this point of order. The member for Mississauga West does not have

a point of order. You may have a point of interest to someone, but you do not have a point of order. I ask—

Mr Mahoney: They don't have to read it three times.

The Speaker: Would the member please come to order.

Mr Mahoney: Why do they keep reading it three times?

The Speaker: The member for Parry Sound.

Mr Eves: With respect to the comment just made by the member for Mississauga West, which I presume is in Hansard, knowing him to be an honourable member, I'm sure that he would want to withdraw the inaccurate and false statement that he has just made to the Legislature. Unless he happens to work in PC services, I presume he has absolutely no personal knowledge, but he's been known to stretch the truth before, so I'm not surprised.

Mr Mahoney: Do you wish me to respond to that?

The Speaker: No. This is supposed to be a very straightforward, simple part of a routine proceeding, the presentation of petitions. After a member has read the petition, the table will determine whether or not the petition is in order. I need to hear the reading of the petition and the member needs an opportunity to be able to complete reading the petition. I would ask that he do so quickly, so that we can move on, and perhaps we'll have more than two members able to present petitions in the 15 minutes.

Mr Mahoney: A point of privilege, Mr Speaker.

The Speaker: I trust this is a serious matter.

Mr Mahoney: This is a very serious matter. The member for Parry Sound has accused me of stretching the truth. I would ask you, Mr Speaker, is that the same as accusing me of lying? If that's the case, I would ask him to withdraw. He made reference to my remarks about Tory research. The remarks that I would withdraw—

The Speaker: No. Both the member for Mississauga West and the member for Parry Sound are experienced members. They are both honourable members. I know they would prefer that we get on with the business of the House. The member for Dufferin-Peel, please.

Mr Tilson: I have a petition of 69 signatures from my riding of Dufferin-Peel and it's addressed to the Legislative Assembly of Ontario.

"Whereas the traditional family values that recognize marriage as a union between a man and a woman are under attack by Liberal MPP Tim Murphy in his private member's Bill 45; and

"Whereas this bill would recognize same-sex couples and extend to them all the same rights as heterosexual couples; and

"Whereas the bill was carried with the support of an NDP and Liberal majority but with no PC support in the second reading debate on June 24, 1993; and

"Whereas this bill is currently with the legislative committee on the administration of justice and is being readied for quick passage in the Legislature; and

"Whereas this bill has not been fully examined for financial and societal implications;

"We, the undersigned, petition the Ontario Legislature to stop this bill and future bills which would grant same-sex couples the right to marry and to consider its impact on families in Ontario."

I fully support this petition and I am signing it.

LEGISLATIVE PAGES

Mr Wayne Lessard (Windsor-Walkerville): I have a petition to the Legislative Assembly of Ontario and it states as follows:

"Whereas each year hundreds of grade 7 and 8 students from across Ontario make application to serve as pages in the Legislative Assembly of Ontario, pages like Marion Murphy from Windsor-Walkerville, and although many are called but few are chosen; and

"Whereas those who are chosen have only a slight idea of what they're getting themselves into; and

"Whereas pages end up spending long periods of time away from home, their family and friends and work long hours for lousy pay, they do make new friends and, overall, end up having a mega-cool time, an excellent adventure and learning a few things to boot;

"We, the undersigned, petition the government of Ontario to express its sincere thanks to those students who have dedicated the last four weeks of their lives, providing incredible assistance to members of provincial Parliament in the performance of their duties."

Although that isn't signed by all of my colleagues, I'm sure it expresses the sentiments of all members of the House.

1500

MENTAL HEALTH SERVICES

Mr Tony Ruprecht (Parkdale): I have a petition addressed to the Legislative Assembly of Ontario.

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas the NDP government is hell-bent on establishing a 20-bed forensic facility for the criminally insane at Queen Street Mental Health Centre; and

"Whereas the nearby community is already home to the highest number of ex-psychiatric patients and social service organizations in hundreds of licensed and unlicensed rooming houses, group homes, crisis care facilities in all of Canada; and

"Whereas there are many other neighbourhoods where the criminally insane could be assessed and treated; and

"Whereas no one was consulted—not the local residents; not the business community; not leaders of community organizations; not education and child care providers; not even the NDP member of provincial Parliament for Fort York," Rosario Marchese, but since you said to cross his name out, I'm not going to read his name into the record.

"We, the undersigned, residents and business owners of our community would therefore urge"—

Interjections.

Mr Ruprecht: Mr Speaker, they're unable to hear me.

The Speaker (Hon David Warner): Could the member read the petition quickly?

Mr Ruprecht: Mr Speaker, I'm reading it as quickly as I can.

Interjections.

The Speaker: Member, please complete the petition.

Mr Steven Offer (Mississauga North): It's an important way in which constituents make their opinions known, even though the NDP doesn't listen to them.

The Speaker: Order.

Mr Offer: Just because you don't listen to these things doesn't mean they're not important.

Mr Ruprecht: Mr Speaker, maybe you'd like to present—

The Speaker: No. The member take his seat.

SEXUAL ORIENTATION

Mr W. Donald Cousins (Markham): "To the Legislative Assembly of Ontario:

"Whereas traditional family values that recognize marriage as a union between a man and a woman are under attack by Liberal MPP Tim Murphy in his private member's Bill 45 and Lyn McLeod, leader of the Liberal Party; and

"Whereas this bill would recognize same-sex couples and extend to them all the same rights as heterosexual couples; and

"Whereas the bill was carried with the support of an NDP and Liberal majority but with no PC support in the second reading debate on June 24, 1993; and"—

The Speaker (Hon David Warner): Point of order, the member for Parkdale. Would the member for Markham please take his seat.

Mr Tony Ruprecht (Parkdale): On a point of order, Mr Speaker: I would appreciate it if you would give me one minute to complete my petition.

The Speaker: The member was given an opportunity. I asked him several times if he would read the petition and he did not do so. I have moved to the member for Markham who may continue reading the petition and please complete it.

Mr Cousins: "Whereas this bill is currently with the legislative committee on administration of justice and is being readied for quick passage in the Legislature; and

"Whereas this bill has not been fully examined for financial and societal implications,

"We, the undersigned, petition the Ontario Legislature to stop this bill and future bills which would grant same-sex couples the right to marry and to consider its impact on families in Ontario."

I have signed my name to that as well.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON ESTIMATES

Mr Cameron Jackson (Burlington South): Pursuant to standing order 60(a), I beg leave to present a report from the standing committee on estimates for the estimates selected and not selected by the standing committee for consideration for the budget year 1994-95.

Senior Clerk Assistant and Clerk of Journals (Mr Alex McFedries): Mr Jackson from the standing com-

mittee on estimates presents the committee's report as follows:

Pursuant to standing order 59, your committee has selected the 1994-95 estimates of the following ministries and offices for consideration:

Ministry of the Solicitor General and Correctional Services, six hours;

Ministry of Health, nine hours;

Ministry of Transportation, six hours;

Ministry of Community and Social Services, nine hours;

Ministry of Northern Development and Mines, seven hours and 30 minutes;

Management Board of Cabinet, seven hours and 30 minutes;

Ministry of Agriculture, Food and Rural Affairs, six hours;

Ministry of Housing, nine hours;

Ministry of Environment and Energy, seven hours and 30 minutes;

Ministry of Culture, Tourism and Recreation, seven hours and 30 minutes;

Ministry of Economic Development and Trade, seven hours and 30 minutes;

Ministry of Natural Resources, seven hours and 30 minutes.

Pursuant to standing order 60, the estimates, 1994-95, of the following ministries and offices not selected for consideration are deemed passed by the committee and reported to the House in accordance with the terms of the standing order and deemed to be received and concurred in.

Ministry of the Attorney General: law officer of the crown, \$269,695,457; ministry administration, \$26,289,300; guardian and trustee services, \$37,321,000; crown legal services, \$98,765,000; legislative counsel services, \$3,832,300; courts administration, \$276,497,700; administrative tribunals, \$30,792,200; special investigations unit, \$1,936,700.

Cabinet Office: Cabinet Office, \$5,409,200; Premier's councils, \$4,284,400.

Ministry of Citizenship: ministry administration, \$5,404,765; equity and access services, \$37,438,300; ministry agencies, \$38,606,000.

Ministry of Consumer and Commercial Relations: ministry administration, \$24,735,857; business practices, \$13,145,800; technical standards, \$17,990,500; registration, \$62,307,200; agencies, \$43,001,000.

Ministry of Education and Training: ministry administration, \$28,635,623; elementary, secondary, post-secondary and training support, \$8,571,180,400; Jobs Ontario Training, \$191,540,400; Royal Commission on Learning, \$800,000.

Ministry of Finance: ministry administration, \$54,377,407; office of the budget and taxation, \$5,407,600; economic policy, \$18,867,400; treasury board, \$323,029,200; tax administration, \$193,763,200; financial standards, \$52,973,000; office of social contract

adjudication, \$1,247,900; property assessment, \$112,127,000; public sector labour market and productivity commission and job security fund, \$4,120,700; treasury, \$7,945,000,000.

Office of Francophone Affairs: francophone affairs, \$3,171,700.

Ministry of Intergovernmental Affairs: ministry administration, \$2,313,008; federal and interprovincial relations, \$4,935,100.

Ministry of Labour: ministry administration, \$24,913,665; labour management services, \$8,409,800; labour relations, \$14,878,300; labour policy, \$6,453,100; operations, \$107,682,100; workers' compensation advisory program, \$4,000; Pay Equity Commission, \$5,901,500.

Office of the Lieutenant Governor: Office of the Lieutenant Governor, \$633,000.

Ministry of Municipal Affairs: ministry administration, \$8,172,507; municipal policy, \$7,377,000; municipal operations, \$750,237,800; Ontario municipal audit, \$1,640,400; Ontario Municipal Board, \$7,922,800; office for the greater Toronto area, \$1,318,900; board of negotiation, \$151,000; waterfront regeneration trust, \$3,842,600.

Ontario Native Affairs Secretariat: Ontario Native Affairs Secretariat, \$16,760,908.

Office of the Premier: Office of the Premier, \$2,193,648.

Office responsible for women's issues: Office responsible for women's issues, \$23,510,400.

The Speaker (Hon David Warner): Pursuant to standing order 60(b), the report of the committee is deemed to be received, and the estimates of the ministries and offices named therein as not being selected for consideration are deemed to be concurred in.

INTRODUCTION OF BILLS

LANDLORD AND TENANT AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI SUR LA LOCATION IMMOBILIÈRE

On motion by Mr Mahoney, the following bill was given first reading:

Bill 166, An Act to amend the Landlord and Tenant Act / Projet de loi 166, Loi modifiant la Loi sur la location immobilière.

Mr Steven W. Mahoney (Mississauga West): This bill requires the registration of accessory apartments with the municipality in which they are situated and allows a municipality to inspect such apartments prior to registration. A fine of up to \$5,000 is provided for if a person rents out an accessory apartment that has not been properly registered.

EQUALITY RIGHTS STATUTE LAW AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT DES LOIS EN CE QUI CONCERNE LES DROITS À L'ÉGALITÉ

On motion by Mrs Boyd, the following bill was introduced for first reading:

Bill 167, An Act to amend Ontario Statutes to provide for the equal treatment of persons in spousal relationships / *Projet de loi 167, Loi modifiant des lois de l'Ontario afin de prévoir le traitement égal des personnes vivant dans une union entre conjoints.*

The Speaker (Hon David Warner): Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members; a five-minute bell.

The division bells rang from 1512 to 1517.

The Speaker: Would all members please take their seats. Mrs Boyd moved first reading of a bill entitled An Act to amend Ontario Statutes to provide for the equal treatment of persons in spousal relationships.

All those in favour of Mrs Boyd's motion will please rise one by one.

Ayes

Akande, Allen, Bisson, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooke, Coppen, Dadamo, Duignan, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Harrington, Hope, Huguet, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Kormos, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Marchese, Martel, Martin, Mathysen, McClelland, Morrow, Murdoch (Sudbury), Murphy, O'Connor, Owens, Philip (Etobicoke-Rexdale), Poirier, Poole, Pouliot, Silipo, Sutherland, Swarbrick, Ward, Wark-Martyn, Wessinger, Wildman, Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziembra.

The Speaker: All those opposed to Mrs Boyd's motion will please rise one by one.

Nays

Abel, Arnott, Bradley, Brown, Carr, Chiarelli, Cleary, Conway, Cooper, Cousens, Crozier, Cunningham, Daigeler, Eddy, Elston, Eves, Farnan, Fawcett, Ferguson, Grandmaitre, Harnick, Harris, Hayes, Hodgson, Jackson, Johnson (Don Mills), Jordan, Kwinter, Mahoney, Mammoliti, Miclash, Mills, Morin, Murdoch (Grey-Owen Sound), Offer, O'Neill (Ottawa-Rideau), Perruzza, Pilkey, Rizzo, Runciman, Ruprecht, Sola, Sorbara, Sterling, Stockwell, Sullivan, Tilson, Turnbull, Villeneuve, White, Wilson (Simcoe West), Witmer.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 57; the nays, 52.

Interruption.

The Speaker: Clear the galleries.

The ayes being 57 and the nays being 52, I declare the motion carried.

Hon Marion Boyd (Attorney General): I am pleased to introduce legislation today that will continue Ontario's long, progressive tradition in the field of human rights. Over the last six decades, Ontario governments of all political persuasions have moved to protect fundamental human rights. It is now time to take the next logical step and provide basic human rights for persons of the same sex who choose to live together in conjugal relationships.

This legislation will ensure that all common-law couples, regardless of their sex, will enjoy equal rights in Ontario. Our legislation will not, however, change the special status in our traditions and laws regarding marriage, as marriage is a federal jurisdiction.

Tolerance, diversity, fairness and respect: These are the main themes of this legislation, and I hope these factors will ensure its speedy passage in this House.

ORDERS OF THE DAY

Hon Brian A. Charlton (Government House Leader): We'll be dealing first today with a number of the private bills. I'll have to call the order on each of them since we're not going to try and deal with them all.

CAPITOL THEATRE AND ARTS CENTRE (WINDSOR) ACT, 1994

On motion by Mr Charlton, on behalf of Mr Dadamo, the following bill was given second reading:

Bill Pr71, An Act respecting the Capitol Theatre and Arts Centre (Windsor).

The bill was also given third reading on motion.

CITY OF BURLINGTON ACT, 1994

On motion by Mrs Sullivan, the following bill was given second reading:

Bill Pr83, An Act respecting the City of Burlington.

The bill was also given third reading on motion.

TUBERATE HEAT TRANSFER LTD. ACT, 1994

On motion by Ms Haeck, on behalf of Mr Huguet, the following bill was given second reading:

Bill Pr86, An Act to revive Tuberate Heat Transfer Ltd.

The bill was also given third reading on motion.

WORDZ PROCESSING CORPORATION LTD. ACT, 1994

On motion by Mr Elston, on behalf of Mr Kwinter, the following bill was given second reading:

Bill Pr90, An Act to revive Wordz Processing Corporation Ltd.

The bill was also given third reading on motion.

NORTH TORONTO CHRISTIAN SCHOOL (INTERDENOMINATIONAL) ACT, 1994

On motion by Mr Harnick, the following bill was given second reading:

Bill Pr93, An Act to revive North Toronto Christian School (Interdenominational).

The bill was also given third reading on motion.

1530

ONTARIO SOUTHLAND RAILWAY INC ACT, 1994

On motion by Mr Hope, on behalf of Mr North, the following bill was given second reading:

Bill Pr100, An Act respecting Ontario Southland Railway Inc.

The bill was also given third reading on motion.

NORTH TORONTO BUSINESS AND PROFESSIONAL WOMEN'S CLUB ACT, 1994

On motion by Ms Poole, the following bill was given second reading:

Bill Pr104, An Act to revive North Toronto Business and Professional Women's Club.

The bill was also given third reading on motion.

CITY OF BRAMPTON ACT, 1994

On motion by Mr Elston, on behalf of Mr McClelland, the following bill was given second reading:

Bill Pr107, An Act respecting the City of Brampton.

The bill was also given third reading on motion.

COUNTY OF DUFFERIN ACT, 1994

On motion by Mr Tilson, the following bill was given second reading:

Bill Pr109, An Act respecting the County of Dufferin.

The bill was also given third reading on motion.

1994 ONTARIO BUDGET

Resuming the adjourned debate on the amendment to the amendment to the motion that this House approves in general the budgetary policy of the government (1994).

The Deputy Speaker (Mr Gilles E. Morin): I believe it was the third party.

Mr Tim Murphy (St George-St David): On a point of order, Mr Speaker: In light of the success of the government's same-sex equality rights bill on first reading, a bill which many in my riding have told me is the bill they would prefer to see go forward, I'm prepared to stand down my Bill 45. I'm prepared to withdraw it. In its stead, I am proud, as a private member, the member for St George-St David, to support and advocate for the government's equality rights—

The Deputy Speaker: Order, please. The member for York Mills.

Mr David Turnbull (York Mills): I'm pleased to join the budget debate. Let's just put this debate in some historical perspective. The only time that opposition members get to vote against the government in a vote of non-confidence is as follows: after a throne speech, after a budget speech, when there's a vote and when there is an opposition day of non-confidence, and other than that, if the government deems that a vote is an act of non-confidence.

In fact, we have the very unusual situation that, since this government was elected, we have never had a vote on a budget in this province, which raises some very interesting problems for the Speaker in terms of ruling on this. I know that you have it before you for advisement at this moment and I believe this is proving to be a fairly knotty problem.

I will just go on record at the beginning of this debate as condemning the government for taking away the democratic right of the opposition to be able to vote on a budget. It is fundamental to our system of government. This government has decided to take this away as it has taken so many other things away which allow the opposition to express, as I've said in this House many times before, the opinion of the majority of the people in Ontario. I remind the government it legitimately has a majority government, I don't take that away from them, but the fact is they were elected on 37.8% of the popular vote. So the opposition parties are in fact representing the majority of the voters in this province.

To start discussing the specifics of the budget, let us first examine the whole question that confronts Canada

and Ontario, and that is the question of debt overhang.

Ontario is now counted among Third World countries as a debtor. There was an article in the *Globe and Mail* recently which alluded to the Fraser Institute's spring publication. It's called *Inside Canada's Government Debt Problem and the Way Out*. In fact, there's a table produced by the Fraser Institute which lists the 64 most indebted nations of the world, and they have conveniently inserted the provinces of Canada and in fact Canada itself into this table. Ontario now noses out Canada in terms of its indebtedness as measured as a total government debt-to-GDP ratio. The number for Ontario is 84.9%.

I skip down this list and I look at where Mexico and Brazil are. Mexico is in 61st place, the most indebted being number one, which is Nicaragua. There's a whole host of nations, some of which I've never heard of before, they're such small places. They're expressing it strictly as debt proportionate to the GDP, because that is a more logical way of measuring debt than any other measurement, and Ontario, as I said, noses out Canada in 45th place. We're just beaten for the 44th position by Burundi.

Mr Chris Stockwell (Etobicoke West): Who?

Mr Turnbull: Burundi. I can't believe that we've got this province into that kind of state of affairs. Mexico is at 40.4% debt-to-GDP and Brazil at 28.6%. Both of those countries are in a significantly better position than Ontario. In point of fact, if I remember correctly, at the worst point of Mexico's debt crisis a few years ago, it was at 60% of total government debt as compared with gross domestic product, and we in Ontario are at 84.9%. One could hardly think of a greater condemnation of the affairs of a government than that.

1540

We now have the situation that Ontario is the largest international borrower in the world. We are actually, in the international markets, a larger borrower than Canada itself. Indeed, the ability to borrow on international markets is dependent on our credit rating and, of course, we have had numerous suggestions that because of the mismanagement of this government, we may be faced with a further downgrade.

So far, in the three previous budgets this government has presented, it has resulted in three downgrades in our credit rating. One more downgrade in our credit rating and we lose a whole host of potential lenders because they are not allowed to lend to people with that low a credit rating. Undoubtedly the cost of borrowing will go up by many millions of dollars, probably in the range of \$50 million to \$70 million.

We have the government which is borrowing about \$1 billion a month to stay afloat. Let's have no doubt about it: When we borrow money to stay afloat, these are not avoidances of taxes; it's just delay of taxes. We are delaying the taxes so our children and their children will pay it.

You've heard me speaking on this very point in this House many times before, because it is my all-consuming concern that we drive our children away because we have so despoiled the affairs of this great province that they

don't want to be here. We have such a marvellous province and we have so many natural advantages that we must not let debt snatch away the natural right of our children.

When we talk about borrowing \$1 billion a month, we're talking about, with a population base of 10 million people, some \$100 per man, woman and child that we're borrowing in this province per month to stay afloat. It's not fair because the average taxpayer in this province doesn't realize what you're doing. You've taken this province from a very prosperous province to a province which has severe financial problems. That we can be listed among Third World nations is distressing.

The budget document suggests that the government is doing marvellous things with employment. Yet I turn to page 51 of the budget document and the graph that is presented suggests that the government in the budget speech is in fact lying to us, because we have a forecast for jobs in 1994 of some 4.855 million, and I look back to 1990 and it was 4.937 million. In other words, we have fewer jobs today than we had in 1990 and yet the government is telling us how incredibly successful it has been at creating jobs. I think not.

The problem we face is a problem that all political parties must pull together on and try and offer suggestions as to how we solve it. Indeed, my party has suggested that we have solutions and I will be speaking more of that later.

In the meantime, I want to dwell on the fact that we have a government that not only has not come to terms with the debt it is creating but in fact is consciously hiding the debt. We have a government that is misstating the amount of money that it is creating as the deficit each year.

We know where they have moved their money: They've moved it into the capital corporations, which takes it off-book. The Provincial Auditor has stated that he disapproves of this practice. The suggestion by the government is that it's investing in capital expenditures, but in point of fact this government is reducing capital expenses. What they should be doing is reducing the operating side of the budget, not the capital expenses. This is where the government seeks to do its sleight of hand.

They're suggesting what they're doing with Jobs Ontario—I would suggest that in point of fact that's just reallocated money. If you take money from this table and put it on that table you haven't created new money; all you've done is move it from one table to another. So we see that capital expenditures projected for 1994-95 are declining. The capital expenditures for 1994-95 are some \$2.2 billion compared with last year's interim number of \$2.6 billion and the year before some \$3.592 billion. So much for their job creation program.

The real, telling story comes on page 115 of the budget. We look at the capital corporations and see—it's amazing how the type gets a little bit smaller when you get to this—that they have, for what they call non-budgetary loan-based, \$1.6 billion. Well, some \$598 million of that is for the Transportation Capital Corp. One has to assume that they haven't counted in any of

the financing that they're now going to take unto themselves for building the 407. Indeed, we were sold a bill of goods that the government was going to have the private sector raising the money to build and to run the 407 and at the last minute, the government, under some very, very suspicious, smelly circumstances, suddenly had the government financing this deal.

Strangely enough, the group of unions that signed a deal with the winning consortium had a fund-raising event for the NDP some 10 days after they signed that agreement and, lo and behold, a memo went out from the head of one of those unions, saying: "Don't take no for an answer. Go out and get all the corporations to pay money." I can't imagine anything more unlikely than corporations wanting of their own volition to support this NDP government, which has destroyed so many jobs.

Indeed, they were induced to go out and that produced some \$100,000 for the coffers of the NDP. Then, strangely enough, that consortium got the deal to build the road, which is the biggest contract that has ever been given on roads in North America, or so we are led to believe by the Premier's own statement.

There's quite an interesting article, and I read from the *Globe and Mail* dated May 10: "CBRS Puts Ontario on Credit Watch; Laughren Not Surprised as Other Agencies Review Rating Following Budget." It reads:

"Ontario Finance minister Floyd Laughren said he was not surprised Canadian Bond Rating Service Inc put Ontario on its credit watch list yesterday....

"The Montreal-based service placed Ontario's double-A debt rating on the watch list 'with negative implications' after Mr Laughren's budget last Thursday projected an \$8.5-billion deficit in 1994-95....

"Eugene Williams, financial analyst at CBRS, said being on the credit watch list means Ontario's finances will be monitored more closely than before, but it does not inevitably lead to a downgrade.

"A lower credit rating indicates higher risk for investors, who would seek higher interest rates from the issuer of the bonds.

"Some institutional investors such as pension funds will not invest in securities below a certain rating." That's what I alluded to before.

1550

There's a very interesting comment here. "Mr Williams said CBRS placed Ontario on credit watch for four main reasons:

"—A continuing high provincial deficit. 'We'd like to clarify whether it's an \$8.5-billion deficit as outlined in the budget, or about \$10 billion,' which would include about \$1.6 billion in capital spending," which is what I've alluded to already.

"—The growth in debt continues to exceed economic growth. The debt in fiscal 1995 is expected to rise by about 12.7%, while the economy is forecast to grow by between 4% and 5%.

"—A significant growth in the size of the provincial debt as a proportion of economic output," and that was the figures that I read from the Fraser Institute before.

"—The unemployment rate is projected to remain high this year and next." Indeed it is, looking at the government's own numbers. Yet anybody who sat in this chamber or watched the budget being presented by the Finance minister would have concluded that prosperity was breaking out everywhere and we were creating all kinds of jobs. It's simply not true. It is so misleading. I really believe we should get some element of truth into what is brought before this Legislature.

The government continues to insist that it's not hiding debt, and indeed it's right in a sense, because the credit rating agencies know what the debt it. But the average voter doesn't realize that we have now become a Third World nation in terms of our debt.

The Treasurer brought in what essentially was a stand-pat budget. He tinkered around a little bit. We're told there was about a 1% reduction in taxes overall. Let's put that in context: This is after some \$4 billion worth of tax increases by this government.

I don't by any means blame this government for all the misfortune. They took over some terrible measures from the Liberals, and they also took over some very unfortunate sweeping-under-the-rug of debt. You will recall that we went into the last election being told we were going to have a surplus, but indeed we had a significant deficit. Part of that deficit was of the successor NDP government's own making—it wasn't all what the Liberals created—but a very substantial amount of it was created by the previous Liberal government. It is absolutely inconceivable that the Treasurer of the day did not know that existed, but we went into the election prematurely, much, I'm sure, to the Liberals' chagrin, and they were swept away because the people of Ontario saw through that ruse.

So the government that exists today inherited some enormous tax increases that the Liberals had brought in and bad fiscal policy. They had been spending much more than they were taking in. They had been through the best years this province has known in the last 50, but instead of remembering what John Maynard Keynes said, because I think most of the Liberals tend to lean towards Keynesian economics, that you spend during the lean years and you pay back in the good years, they didn't pay it back. They increased the debt substantially, by some \$10 billion, in the best years we've ever had.

I fail to understand how anybody can get up and try to justify increasing debt and increasing taxes at the same time as you have almost uncontrolled increasing revenues, not just revenues from the increased taxes but as a fact of the economy growing in such enormous leaps and bounds that there were unanticipated transfers from the federal government that were helping the provincial government out.

Let's be very frank about it. We've had governments of all political stripes, at all levels, which have done the wrong thing. What we've now got to concentrate on is having governments do the right thing. The way to do that is by creating jobs, because in creating jobs—real jobs, not government jobs—we create hope, hope for our young people.

We must move towards balancing the budget. I'm not

talking about balancing the operating budget, as both the Liberals and the NDP talk about, but of balancing the total budget. Indeed, that is what my party is proposing to do in our document which we call the Common Sense Revolution. This document is the product of some three years of consultation with people all across Ontario. It isn't something we hatched up in some smoke-filled back room. We listened to all kinds of groups. We listened to workers. We listened to chambers of commerce.

Mr Anthony Perruzza (Downsview): You should be ashamed.

Mr Turnbull: Mr Speaker, I'm just going to halt my debate for a moment and say that we have the member for Downsview across here, whose only contribution to this House is to sit here every single day and heckle. We all, from time to time, heckle, but I have never heard anything other than heckling and silly rhetoric from him. If he has something useful to contribute to this debate, I encourage him to join the debate.

Mr Perruzza: On a point of order, Mr Speaker: I thank the member for recognizing that I'm here and I'm listening to him. All I said—

The Deputy Speaker: Order. The member for Downsview, please take your seat.

Mr Turnbull: I think you will see, Mr Speaker, the contempt with which government members treat the thousands of Ontarians we have consulted with, because it's their ideas which are contained in this book. I was struck yesterday, when I met somebody I know quite well, who has always leaned towards the left and, by his own admission, has always—and he's about my age—either voted Liberal or NDP, and voted for the NDP in the last election. He came bouncing up to me and without a word from me, said: "Thank goodness somebody's doing something. I like what you're saying, because you are going to give working people some hope." We're doing that by reducing the taxes.

Let me talk specifically about the measures we intend to take. Just for fun, I thought I would compare it with what the Liberals have been saying they propose to do, because the Liberals came out with a document which is full of rhetoric. I'll let you be the judge of this.

We have a five-point plan. I will read our five-point plan and along with each point I will read what the Liberal plan is. Our plan is called the Common Sense Revolution, which we encourage everybody, of all political stripes, to get involved in. It shouldn't be a partisan business. It should be simply something where people of goodwill say, "Yes, let's get Ontario moving again. Let's create jobs and let's reduce debt so our children may have a decent future."

Point 1 of our plan is that over three years we will reduce the provincial income tax by 30%. Half the cut is going to come in the first year of office. That averages \$4,000 in savings for an average, middle-class family over the three-year period, which will turn Ontario into the lowest-tax administration in Canada from one of the highest. That's opportunity, because we have seen that in all the countries of the world, of all political persuasions, where they have reduced taxes substantially—I only have

to point to such diverse countries as Sweden, Britain, Mexico, New Zealand—they have seen a stimulation to employment and to the economy once they have reduced the very high tax rates. Indeed we have hit the tax wall. By making us the lowest-taxed province in Canada—only by a smidgen over Alberta, but nevertheless, we will whisker them out in terms of being the lowest-taxed administration—we will attract investment.

1600

The first point in the Liberal plan is, "A Bold New Course." Get commitment from Ontarians "to the benefits of embarking on this vision of a bold, new future." Sounds good, but what does it say? I really would like to see from the Liberals a substantive document where they are gutsy enough to say how they will address these things.

In fairness, just to contrast it, they call for a 1% tax cut per year over the five-year period, which coincidentally is exactly the amount by which the NDP has reduced taxes in this budget. In other words, the Liberals and the NDP are in sync on what they would do: They'd reduce taxes by 1% a year. I'm not sure if the NDP intends further tax cuts.

Number 2 of the Conservative plan is that we will reduce government spending in non-priority areas by 20%. That means we will reduce government spending by \$3.605 billion in year one and reduce it by \$6 billion after five years. I don't think you could be more specific than that.

How are we going to do it? We're going to reduce the number of politicians in this House. We're going to reduce the number of MPPs from 130 to 99. That's a controversial measure if you're an MPP, because you may see your seat disappearing, but we're bringing it into alignment with federal riding boundaries. That allows us to create savings and sends a very powerful message to school boards and to municipalities across this province that we expect no less from them, that they have got to be more frugal with the tax dollars.

We will reduce welfare payments, but we will only reduce it to the point where it is 10% higher than the average of all Canadian provinces. We at the moment are by far the highest in our payments for welfare: We pay 30% more than the average. We're saying we can't afford it, but we understand we cannot be cutting this on the backs of welfare recipients. We're bringing it down to 10% above the average, and on top of that, we will allow all of those welfare recipients to earn the difference by going out without the tax man getting his nasty little paws on that person, as he does now. The minute they step out the door and start earning, the tax man and the welfare man are after them and taking away their benefits.

We will reduce the number of government employees. We'll reduce them by some 15%. What do the Liberals say under their second point? "Letting the Economy Breathe." It will be "difficult and challenging," but it can solve the "heavy tax load and...complex regulatory and overlapping jurisdictional problems." Sounds great, once again, but that's pure rhetoric. There's absolutely no significant plan there.

We'll protect in our plan the spending on health care. We won't take any money away from health care, because unfortunately the Liberals and the NDP now have deteriorated our health care system. We will seal the envelope. We believe there is a significant saving, but we will reinvest it in the health care system so that once again Ontario enjoys one of the best health care systems in the world instead of having the dreadful spectre we have now of people queuing up for service to get such things as an MRI.

A young woman, a constituent of mine, approached me about two weeks ago. They had made the wrong MRI of her: She should have had a brain scan and instead they scanned her back. She was told, "You will have to wait another six weeks for an MRI." We were able to fix it, but we shouldn't have to do that. We should have a system which is responsive automatically.

We'll scrap Jobs Ontario and we're going to scrap subsidies to businesses, because businesses are going to have to stand on their own two feet. We cannot expect the middle classes to dole out tax dollars so that businesses get handouts, but we must reduce the taxes so there is an impetus for people to go out and create wealth.

We will eliminate the job creation barriers. We're going to abolish employer health tax for all small businesses with payrolls under \$400,000.

The Acting Speaker (Ms Margaret H. Harrington): The member's time has expired. Now we have time for questions or comments to the member for York Mills.

Mr Robert V. Callahan (Brampton South): I heard the honourable member speaking of how deficits were created by the New Democratic Party government, and he also tried to tag the Liberal government with it.

I would like to point out to him that in the history of this province, the Liberal government, when it was in power, was the only government that ever had a balanced budget. Granted, there are people who would run around this province saying the second prediction was wrong, but it was wrong because the revenues were down from what was anticipated.

I also want to point out to my good friend that the accumulated deficit, which stood at about \$50 billion at the time the NDP shot it up to \$90 billion, where I think it is now, was actually through 42 years of government by the Progressive Conservative Party. He failed to mention that, and it's important that the taxpayers of this province understand that's how we got to this terrible, devastating position where almost every Ontarian, man, woman and child, is saddled with a debt of \$8,500, and that is absolutely incredible.

I would hope that the member, in any future speeches on the budget, would remind the people of Ontario that the legacy of our accumulated debt is a direct legacy that was left to us by 42 years of governing by the Conservative Party. Perhaps that's the reason the Conservative Party is no longer governing, nor does it appear that in a future election it'll be given that opportunity.

Mr Perruzza: I want to take a couple of minutes and respond to some of the comments my good friend made.

He is right, I did react when he picked up his nonsense revolutionary book. They've been flashing this thing around here for a while now. They pick up this book and it's, I don't know, 10, 12, 13 pages—I forget how many pages it is—and in these 13 pages they say they condensed three years' worth of consultation on a wide range of subjects.

Well, only a fool would sum up the province of Ontario or the governance of the province of Ontario and try to do that in 13 pages, where they talk about massive cuts, 30% across the board—

The Acting Speaker: I would caution the member to try to use language which is worthy of his position in this House. I do not want any members calling any party or any members of the House a fool. Could you change your wording, please?

Mr Perruzza: Madam Speaker, can I have back the 30 seconds you just took away from my time? I only have two minutes in my responses.

The Acting Speaker: We will set the clock to one minute for you. Please continue.

Mr Perruzza: Thank you very much. I didn't refer to the member for York Mills. I said that only a fool, anywhere in Ontario, from the lake to the salt-water lake at the northernmost extreme of Ontario, would try to reduce all the issues associated with the government of Ontario in that amount of space in the way they've tried to do it.

Then when they did this, what did they do? They went out and hired somebody from the United States. They hired an American firm to do up a commercial to sell that kind of no-sense, nonsense propaganda wherein they talk about these cuts and all of these other things that, quite frankly, when you look at them, don't make a whole lot of sense. In fact, Donato of the Toronto Sun, a supporter of theirs, captures the spirit of their book in this cartoon. 1610

The Acting Speaker: The member's time has expired. Any further questions or comments?

Mr John Sola (Mississauga East): I'd like to compare the Common Sense Revolution, which the member for York Mills spoke about, to the Agenda for People, which the government came to power on. I'd like to suggest that there is a correlation to be made. The Agenda for People was a document of spending, whereas the Common Sense so-called Revolution is a document of cutbacks. To me, both smack a little bit of too much ideology.

For instance, it was NDP dogma that forced them to go on a spending spree despite the common knowledge and the fact that all the factors pointed to a situation where they had to tighten their belts. They spent money when they had no money to spend or, more accurately, when they had not enough money to spend. How else can you explain this mushrooming deficit?

I would like to caution the member for York Mills that overdoing the cutbacks due to strict adherence to a dogma or ideology may have the same sort of effect that strict adherence to ideology on the spending side by the NDP had. The NDP had the deficit mushroom. I think the

Progressive Conservatives, if they strictly adhere to their program as announced, may get the recession to—I don't know what you would say—mushroom or get even deeper than it is. If we need anything today, it is jobs, and I think further cutbacks, especially at such an increased rate, would lead in the other direction.

The Acting Speaker: We have time for one more question or comment. Seeing none, the member from York Mills has two minutes to respond.

Mr Turnbull: Very quickly, for the member for Brampton South, he will recall that the one year they showed a surplus, it was some \$90 million. They had budgeted that year a deficit of \$550 million. They got an unusual transfer from the feds at that time of \$888 million which was not anticipated. Simple math tells you that under that circumstance, taking \$550 million away from \$880 million, they should have had a \$338-million surplus. Instead, they showed \$90 million. In other words, they'd have been even deeper in the hole had they not been bailed out by the feds.

To the member for Downsview, he speaks about us hiring US consultants. There were two people on a team of 19. It was given to a Canadian company, unlike your friends in the government who have got in US consultants to run the casino totally. We're not talking about two people; we're talking about the company that is operating it that is US. You've got US consultants to advise you on the 407. In addition to that, you have the interesting situation that you sold the GO Transit rolling stock to a US group and the deal was closed in the Bahamas for tax purposes so as to avoid taxes, my friend. That's what you've sunk to. Don't give me any nonsense about the fact that two of the people on the team were Americans.

Mr Perruzza: There's no commitment to jobs there.

Mr Turnbull: There were 19 people, my friend, who worked on that. They were jobs for Canadians, jobs for Ontarians.

Interjection: Buffalo?

The Acting Speaker: Order.

Mr Turnbull: This is all they can do.

As for the member for Mississauga East, I would just point out the fact that in the Globe and Mail on May 12, Peter Cooke said, "Given the lack of alternatives, our politics may"—

The Acting Speaker: The member's time has expired. Further debate? The member from York-Durham.

Mr Larry O'Connor (Durham-York): Thank you, Madam Speaker. We go alphabetical. Durham-York is the name of the riding.

I'm glad to be standing here today and participating in this budget debate, the debate of course that comes from the budget that was presented to this Legislature on May 5.

The interesting thing is that quite often when you get into the debate around a budget, a lot of rhetoric takes place and everyone says how bad everybody is. I don't want to talk about that. What I want to talk about is some of the positive things that have happened in this NDP government. Let's try to keep things on a light note.

The fact of the matter is, \$3.8 billion, which is \$300 million more than last year, will be spent on capital investment. We can all go back to our ridings and we all participate in the wonderful ribbon-cutting ceremonies. In fact, tonight I'm going to a school that's opening up. It's because of a commitment from not only this government but other governments before us, but which this government today, in these difficult times, continues to do.

I'd like to point out that it was a cool night, October 27 last year, when I was at another school opening, one out in Keswick. It was a nice occasion, because a brand-new school being opened up for the community there is always something that adds to the community. Tonight I look forward to doing the same thing in East Gwillimbury with the new school opening up there. I think it's really nice. I'm going to enjoy going to Good Shepherd.

What we don't hear about quite often is jobs being created and the good things. Madam Speaker, I want to tell you about another opportunity I had back last month, in April. I had an opportunity to go to Fiber Optics Engineering Systems. It's over in Mississauga, and I had an opportunity to go over there. It's a very small operation, fewer than 100 employees. They've grown, and 90% of their business is outside the country. They've chosen to invest right here in Ontario. They chose to invest here in Ontario.

They're growing. It was a new space they were moving into. They were expanding. The reason they were expanding partially was because of Jobs Ontario. They realized, as the government realized, that you need new employees. There's a little bit of cost to that. The government recognizes that, and we've gone out and established a Jobs Ontario Training fund. They're using that fund, and they're growing. We don't hear about the growth in the economy from the opposite side. It is something that we don't talk about.

You have to give Mr Laughren a pat on the back, because the fact of the matter is that when he introduced the budget, he included something a little bit different. He included this time around a levelling point where the employer health tax isn't going to be put on new employees. So he recognized that small businesses, the business community, are going to add to this recovery that everyone knows is happening. It's going to add to that recovery and give them some incentive.

Governments quite often don't get credit when they reduce the costs of running things. They get criticized because, "Oh, you're cutting this, you're cutting that." But the fact of the matter is that two years in a row the operating cost to the province of Ontario has come down. Madam Speaker, I want to tell you that in 1942—I guess my dad was born then; I was going to say before my dad was even born, but I think he probably was about seven or eight at the time. But back in 1942 was the first time that had ever happened. Two years in a row now it's happened. We don't hear about that. In fact, the deficit itself in the past two years has been reduced by 30%, and it hasn't been easy. I want to tell you, Madam Speaker, it hasn't been easy.

I get the calls, we all get the calls: "Why are you picking on me? Why are you cutting here? Why don't

you spend some more money here?" It's easier to say, "Yes, here's a cheque," and this is wonderful, but the fact is, we've had to go through a tremendously difficult time, and by approaching this and taking a look at services that are needed for people, we've done it in a fair way.

1620

We've got a plan. It's working. The fact of the matter is, the Conference Board of Canada report that came out just May 5 of this year, I believe, said that consumer confidence is as high as it's been in Ontario in five years. We haven't been in government that long. Five years: that's incredible. You have to take a look at that, because that's part of the commitment this government has made to preserving jobs, to making sure the government of Ontario—

Mr Gregory S. Sorbara (York Centre): On a point of order, Madam Speaker: It's not all that good a speech, but I think there ought to be a quorum to hear it.

The Acting Speaker: A quorum is not present. Call in the members. This is up to a five-minute bell.

Interjection.

The Acting Speaker: The clerk would like to determine if a quorum is present.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Acting Speaker: The member for Durham-York may now complete his remarks.

Mr O'Connor: I hope I have an opportunity to complete them. It's unfortunate that you'll get a member like the member for York Centre, who isn't here for the debate and doesn't participate very often, who will show up for a moment just to interrupt like that. It's rather unfortunate. I guess it's a lack of class and it's disgruntlement from that member from being an opposition member. I'm sorry he's not a government member any more; that's unfortunate.

The Acting Speaker: Order. Please address the bill.

Mr O'Connor: Let me get back to my speech, because I like to try to keep things high, and though that member doesn't appreciate that, and that's unfortunate, that's the way they go.

Let me continue. I was talking about how this government's plan in trying to preserve services and making sure they're affordable is working. When we became government, up to the decade before that, health care costs were going up every year at 10%, 10%, 10%, 11%, 10%; continually 10%, 11%, 12%. That change alone, that lack of control, of trying to make sure we've got something there that we can preserve, cost a lot of money. We've seen the health care costs go from 25% of our budget to a full third of the provincial budget. I have to tell you, I think we've got ample money in the Ministry of Health to do the job, but we have to take a look at how we're doing it. We have to take a look at where the money's going.

Since 1990, there's been a 150% increase in commun-

ity health. We've been able to make life a little bit more easy for some seniors who want to live at home in their communities by increasing funding there.

We have launched a cancer strategy that has taken another \$15 million.

One thing that quite often taxpayers don't realize is that when governments create programs, there are always costs to that. Take, for example, the assistive devices program. Twelve years it's been around, and during that time about \$1 billion have been spent—\$1 billion, a thousand million, have been spent. More than 850,000 Ontarians have received the benefits. People with disabilities have received the benefits from this. This year alone, the assistive devices program will invest another \$84 million, and that's going to help out another 135,000 people.

It's important that we always invest in people, and that's what we're doing. We don't hear that, and that's why members will come in and criticize, because, "Oh, they're doing the right thing." They want to make sure that the message doesn't get out that the government is doing the right thing. That's unfortunate, really unfortunate. They don't realize that there's a plan out there, something's working, the government's working, the process is working.

Madam Speaker, it hasn't been easy. Let me take you back a year ago. We were in the middle of the toughest negotiations in the province of Ontario. We sat down with the broader public sector of the province of Ontario and recognized that we had to get some savings that would keep us in line, make sure that we can continue to provide services. I want to thank all the people in the broader public sector. I want to thank those people who were actively part of that participation, and I know that it did cost them a little bit. But the fact of the matter is, it saved 40,000 jobs.

I know that the community shelter in my riding that wasn't there three years ago is still running and still operating, and in fact it's going to see a little capital injection. I can take some pride, and I hope that all those people from the broader public sector can see where they've got some pride because they inputted into it. They helped us maintain the services, and those people should be thanked. They need to be thanked.

Quite often people don't realize—they go into hospital and they think: "Well, look at the size of this hospital. Look at all the beds here. This is great." Then they start talking about the bed closures and they say: "This is awful. Health care has just fallen all apart."

But the fact of the matter is, there's been a 9% increase in the people they have been serving in the hospitals with 20% fewer beds. It's been managed by an efficient method, and that's something that I think all of us can be proud of, because there are increased services in cardiac, dialysis, trauma and cancer. There are tremendous increases.

The fact is, we hear about revolutions in this Legislature. We hear about a Common Sense Revolution happening from over there and it's pretty easy, because they talk about a 30% slash in income tax and spending's going to go way down. It's kind of like pie in the sky, because

they don't recognize that, for all the expenditure control process that we went through, we went through ministry by ministry and took a look at programs and it was a difficult process. It was one that named programs and went through that expenditure reduction process.

I don't recall for a moment anyone from the opposition saying, "You didn't go far enough. You should have cut this program. You should have cut that program," because they can't name them. They can't name the programs that have to be cut. All they can do is come and they show their little Mike Harris book and say: "This is a Common Sense Revolution. We're going to cut everything by 20%; a 30% income tax cut for everyone in the province."

The taxpayers know that that's hokey. There's no way it's going to happen: talk about smoke and mirrors. I would have to say that somebody over there has had their calculator removed and in place of it was put a Nintendo game. They're playing Nintendo with the economy; and the fact of the matter is, I don't like the game they're playing, because they're talking about services to people and they want to cut them, and that's not the way to do it. It's not an open process. It's not one that takes a look at what some of the real needs are.

We've embarked on the area of long-term care reform, taken a look at the needs for seniors. We've looked at it, found some of the difficulties, made some difficult choices and last year put \$107 million extra into long-term care. It's an incredible increase in funding, and by 1996 the total of that will run up to around \$647 million, I believe is the number: an incredible induction of cash into a system that's necessary.

1630

We don't hear that from the opposition. They don't talk about the good things. They talk about slash, slash, slash. I wish they'd put away the Nintendo game and really come up with some hard facts, and point to something if they think there are cuts to be made, because we'd appreciate that.

There are difficult choices made by government. You take the student assistance program: \$37 million. This year that funding is going to go to 180,000 students; last year it was 160,000; 20,000 more students are going to be able to access that fund. That's something I think we can be proud of because each and every one of us members is going to have some students in our ridings who are going to have an opportunity for higher education, and higher education is important. It's something that we are funding. It's a different approach. It would be nice if we could say that it's free; we can't, but we've extended it from 160,000 last year up to 180,000. That's an incredible increase.

I'm going to have to meet in the next little while with some people from the child care sector, and they've got some concerns. They wish we had come up with a child care reform program, a package, something that was very comprehensive. I can't go in there and say, "I've got a magic wand and I'm going to fix it, and every child care space that ever was needed in the province is going to happen." I can't do that. Since 1990, a 47% increase in spaces has been made available by this government: a

47% increase. I think that's incredible; I think that's good news. I think that's something we can all be proud of, though we don't hear about it.

We hear about their approaches. One of my colleagues just set a magazine down here. It kind of looks like Mike Harris, but it's not; it's Ralph Klein. They call him Ralph the Knife. That's the slash-and-burn approach. The unfortunate part is they don't recognize that you have to spend sometimes. That's why I talked about some injection of capital.

They say: "We got a plan. We can figure things out." The unfortunate part is that they didn't. They had dreams that said: "We're going to create a Highway 407 right across the north part of Toronto. We'll probably get it in within the next decade; maybe two, maybe three." This government sat down and brought in some business people, some people with dollars, some capital to inject into it. It's the first time a government has been able to pull in that kind of investment of \$1 billion; \$1 billion that will create over 20,000 jobs; \$1 billion, not government money, injected into the economy of Ontario to create 20,000 jobs, one project alone. Anyone who travels on the highways around this city will know that that road is necessary. That's the kind of investment that's being made in the province of Ontario. That's not what you're going to hear from the members opposite, because they don't want to talk about the good-news parts. It's slam, slam, slam; that's the way it works.

The opposition makes government look bad, then an election comes by and, "Well, we'll get rid of them." The fact of the matter is, here's some good news, folks. They don't want to talk about it; it's a rather unfortunate thing that happens, and that's part of the parliamentary process, the process where the opposition says everything the government does is bad. The government says it's not.

We try to explain it, and we'd like to get the opportunity to speak. Then you get someone like the member for York Centre coming in here saying: "There's not a quorum. Let's shut this person up, because he's talking about some good news." He didn't come in here and talk about the 407, the investment right close to home for him: 20,000 jobs, incredible.

Improvements to the QEW alone, another \$343 million. Subway expansions: My colleagues will speak about subway expansions because they know how vital they are, how important they are to the economy of this little economic engine that has been stifled because of policies beyond our control, policies by other governments.

The opposition quite often blame us for the recession. The fact is, it's not one that we created. There are a number of policies that have affected it, and it's changing. Finally, they're starting to recognize that a lot of good news comes out of this government. Sometimes they even acknowledge it. I bet there are times when some of these members go back home and they talk about things like midwives, nurse practitioners and changes in health care that are positive. They probably go back and talk about that. I think they should give themselves a pat on the back for being part of that, because they're part of a government, even though sometimes they oppose things, that brings about changes like that.

I don't think it would seem quite the same if I got up to speak and never mentioned the Tobacco Control Act. Here's an issue for 13,000 preventable deaths in the province of Ontario that I would encourage all members to go back home and take a little bit of pat on the back for, because it's the most progressive piece of anti-smoking legislation that this province, this country, in fact North America, has seen. It's something I want them all to take a little bit of pride in, because they're part of it. Though they may not agree with little parts of it, they're part of something that is going to save them, hopefully—there will be 100 deaths in my riding and 100 deaths in each member of the Legislature's riding from premature tobacco-related diseases. I hope that maybe they'll take a little bit of pride in something there, because they can actually have an active part in preventing some people's premature death.

I don't want to go on at length and use up the whole 30 minutes. I just wanted to point out a few of the important things we've done. A nice, quick and easy one: \$1 billion, 20,000 jobs. We may not hear that from over there. I hope they do; I hope they recognize that.

I hope they might recognize the Ontario Clean Water Agency: \$750 million. In my riding alone, Ballantrae and the Musselman's Lake area for years have had bad water. There have been people with bad health effects there, and they've got an injection of capital that is going to see them get safe water.

Up in Beaverton there's an expansion going on of the sewage system, and that's all part of the Ontario Clean Water Agency. Yes, it's part of the plan, and that's supporting jobs. That alone will support 13,000 jobs.

I said I'm not going to go on at length, but I think we've got to talk about a few of these good things, because I don't know whether we're going to hear from them on the good things. I hope we do. I hope they'll come forward in summing up.

We're probably going to hear from one of those northern members and they're probably going to be quite proud of the fact that there's another \$447 million in upgrading Highway 69 from Waubesa right up to Sudbury. We might hear that from them, so I'm not going to talk about that. I'm not going to talk about between Thunder Bay and Nipigon. They'll probably point out the \$367 million in capital there, so I'm not going to mention that part.

There are a lot of parts that I'm not going to mention, that I'm not going to talk about, because I know they're probably itching to talk about it, because I know they don't want to be completely negative. I know they like to be, but I know they don't want to be, because some of those good-news announcements affect their ridings, and they want their constituents to know that part of what happens down here, even though from time to time it gets quite partisan, they're going to want to support.

They may not agree that the commitment the Ontario government's made to jobs—and over the next three years, that's going to—

Mr Turnbull: On a point of order, Madam Speaker: I'm sure the present speaker would not want to mislead

this House, so I would ask him perhaps to withdraw the fact that he has, in debate, suggested that the government is not raising the funds for the 407 and that it's being raised in the private sector. I'm sure he would like to correct the record.

The Acting Speaker: That is not a point of order. The member may continue his speech.

Mr O'Connor: It's always easy for a member to come in and criticize in the middle. The important part about this House is that the member across the floor has an opportunity to make a statement at the end about all the comments I made. He might want to talk about the \$1 billion, he might want to talk about the 20,000 jobs, he might want to talk about the 13,000 jobs, but he's got his two minutes at the end. I'm sure it was just a slip that he forgot he has two minutes to make a comment at the end, and he probably regrets interrupting my brief moments.

Mr Turnbull: You said it wasn't being raised by the government.

Mr O'Connor: And I'm sure he wouldn't want to be interrupting and interrupting me right now.

1640

I was about to wrap up. I want to hear what my opposition colleagues think. I want them to stand their ground and say, "Yes, by slashing welfare costs, we're going to save a lot of money and we're going to help out our friends by giving them some income tax breaks." I want them to tell me all about their plans, because they've got some sort of Common Sense Revolution or revolting or something like that. I want them to tell me about the Nintendo machine, that Gameboy they're using instead of a calculator, because I don't like that game they're playing.

The fact is that this budget contained no new taxes. It didn't. In fact, it recognized that small business is going to be part of the recovery that's taking place, and there is even some stimulus for them.

There's an overall plan. It's the second year in a row that the government of Ontario has reduced overall spending. There's a plan and it's working. They don't want to acknowledge that since 1942, and there have been a lot of governments around since 1942, they never had an overall reduction in spending. They'll probably want to point out why. They probably have a good excuse, so I look forward to hearing that excuse.

I appreciate the fact that they gave me the last couple of minutes to respond without interruption. I appreciate the opposition giving me the chance, when I have the floor, to have the floor.

Overall, the plan of the government is working. We're maintaining services. We're getting the costs down. I want to thank the people from the broader public sector who have been part of this, part of working with us, all those employees out there and the employers who sat down with the employees and tried to work out part of the plan to save 40,000 jobs. I want to thank them, because it's all been part of the overall plan.

Madam Speaker, I'll just wrap up there and thank you for the opportunity to speak today.

The Acting Speaker: Questions or comments?

Mr Stockwell: I appreciate the fact that the member gets up and defends public policy from the government side. I understand the right of each member to do that. I do care for the member for Durham-York because he does bring an honesty to the job that may be somewhat different from other members' across the floor, but I think you've got to get your facts straight on a few issues. All I want to do is lay out the facts, and if you have problems with that, I understand. You haven't gone to the tables of the budget to review them.

First of all, "A billion dollars was raised by the private sector for Highway 407." The government's underwritten the entire cost of Highway 407. If you're using that other than in this place, out on the campaign trail or the stump, you'd better get your facts straight, Larry, because that's not true. The public is underwriting the entire cost of 407, and maybe you should stop saying that.

The Acting Speaker: Would the member please refer to other members by their riding.

Mr Stockwell: To the member for Durham-York, I will also tell you that you've bought into the Treasurer's rhetoric. He's told you that he's reduced spending. If you go to your 1994 budget, on page 114—I don't know who's telling you this and whether you can read or add up the numbers—it says right there: "Actual 1992-93, \$50,643 billion; interim 1993-94, \$50,880 billion."

Mr Turnbull: That's without the capital plan, I believe.

Mr Stockwell: And that's just the operating. The plan, 1994-95, is \$51.488 billion. Add in the capital, and every year that you've claimed you've reduced spending, it's gone up.

I ask you to go to the budget and read those things. You wouldn't get us so upset if you were telling the truth.

The Acting Speaker: Order.

Mr Stockwell: I apologize. I withdraw that. When you to suggest that you've reduced spending, you're not reading your own budget. It says you've increased it.

Hon Ruth Grier (Minister of Health): I want to rise and commend the member for Durham-York for his contribution to this debate, for his contribution to the work of this House and, as my parliamentary assistant, to the work of my ministry.

The member, with his integrity, hard work and certainly his gift of explaining the policies of this government and particularly the policies of the Ministry of Health, does an enormous job on behalf of this government. I want to say to those of his constituents who are watching that he does a first-rate job on behalf of the constituents of Durham-York.

All of us in this province will benefit from his leadership on attempting to deal with health issues in a way that looks at the roots of the problem and that deals with them on a population health basis. By that I mean his exemplary work as an advocate and a spokesman for cutting down on the use of cigarettes and the use of tobacco in this province. That's the most important contribution that can be made to our health care system, and for generations to come. This member, by his contribution to

the debate today, has indicated his understanding of the economic context in which these decisions are taken. I want to commend him for his contribution to the debate.

Mr Turnbull: I want to make sure that my friend the member for Durham-York understands what I was saying. I suspect you just misunderstood what has happened.

The government, in launching the 407 project, sold a bill of goods to various contractors around the province and to the opposition parties, and presumably to your members: that it was going to go out with a consortium approach and that the consortiums were going to raise some billion dollars to build the 407.

The fact is that at the final moment they withdrew from it, and it is the government, the taxpayers of Ontario, who are paying for it. So all of your statements that the taxpayers are not paying for it are absolutely incorrect.

Interjection.

Mr Turnbull: I hear some nattering from the member for Hamilton West. The fact is that you said you were going to finance it through the private sector and it was going to be raised by the consortiums, and at the last minute you changed the tune. The fact is that you are wrong; you are absolutely wrong.

Mr Gilles Bisson (Cochrane South): No, you're wrong.

Mr Turnbull: I find it quite strange that all the government members can say is, "You're wrong." I'm right. Just check Hansard, check what the minister has said in answer to me, and you will find that your own Minister of Transportation, skating as he will, admits that in fact the money is being raised through the taxpayer's pocket, not through the private consortium it was originally sold as.

That is not an insignificant amount, and you're lauding the efforts, and it's \$1 billion you're out, quite apart from the fact that you have increased spending each year.

The Acting Speaker: The member's time has expired. We have time for one more question or comment. Seeing none, the member for Durham-York has two minutes to respond.

Mr O'Connor: I want to thank the members who shared some of their thoughts and their critiques of my statements on this year's budget. I guess there's a misunderstanding here. The fact is that the \$1 billion is going to create Highway 407 was done by this government in a unique approach, and there are 20,000 jobs being created, and it's 17 years ahead of schedule. They don't want to talk about it.

One of the members mentioned that there wasn't a decrease. Let me explain again, let me be clear. The spending decrease is \$1.2 billion, or 16% less than it was in 1990 in the operations of the running of this government. When the opposition parties were in government, they didn't reduce the number of ministries from 28 to the present 20. It wasn't them, though they might like to pretend they could have done that. They maybe thought about doing that; they just didn't have the time. The fact is that reducing from 28 to 20 ministries alone saves \$42 million a year. We keep hearing about this.

This year's program spending will fall again: 14 out of the 20 ministries will spend less this year than last year, 14 out of the 20 ministries.

It's easy for them to criticize: "You're wrong. That's not the way it works." Well, we'll see, when before the end of the decade we're going to have a highway we can go across in the north part of the city. We'll see when the congestion finally is cleared up because this government did something a little bit different.

1650

Mr Stockwell: On a point of order, Madam Speaker: I would like to withdraw the comments I made with respect to the member for Durham-York when I suggested to him that government spending wasn't down. When he cites the figures he cites, the member for Durham-York—

The Acting Speaker: That is not a point of order. Each person is entitled to their opinion.

Mr Stockwell: The member for Durham-York is absolutely correct. If you don't include debt servicing, like he's done, then spending is down, but considering that debt servicing is \$8 billion—

The Acting Speaker: Order. Will the member take his seat. Each member can legitimately get the floor in the debate. Further debate? The member for Brampton South.

Interjections.

Mr Callahan: There seems to be a lot of activity down at that end of the chamber.

The Acting Speaker: Would members come to order. The member for Brampton South has the floor.

Mr Callahan: It's a pleasure to participate in the budget debate because there's really not much to debate. It's clearly been tagged as a sleeper, a snoozer.

The Acting Speaker: I have asked for order in the House. If there are private conversations, please carry them out somewhere else.

Mr Callahan: It's clearly a snoozer, a sleeper and a bore. However, I think what this budget does do is try to cover up the sins of the past budgets that my good friend Mr Laughren has brought forward to this province.

When you look at the fact that in the regime of the New Democratic Party government it has increased the accumulated debt by some \$40 billion, that says volumes about how efficient and effective this government has been and how it has been a drain on my children, on my grandchildren and on the children and grandchildren of this province. They have hung around their neck the albatross of \$8,500 of accumulated debt for every man, woman and child in this province—\$40 billion. Even the Conservatives, in their wild, ferocious spending over 42 years, only managed to drum up \$50 billion. The New Democratic Party government, in the course of four years, has had the opportunity to duplicate what the Conservatives took about 40 years to do. That means the New Democratic government has increased the deficit 10 times faster.

To be fair to the Treasurer, he did take over at a time when the economy was bad, but I can still remember—

Mr Turnbull: What did the Liberals do? They drove it up \$10 billion in a few years.

Mr Callahan: I think I've put a Brillo under his pad or something. Obviously, I've struck a ring of truth. That's why he's speaking that way.

In any event, despite the recession, and I will give Mr Laughren the benefit of the doubt on the recession, there is no possible way that one could increase the accumulated deficit—the people watching in the gallery and watching at home have to understand that the deficit he referred to in his budget this year, that he struggled so hard and used all sorts of voodoo mechanisms to keep under \$10 billion, is really only the yearly deficit. In your own household, if you project you're going to do so many things in a year and you go over by \$3,000, that's a deficit, that's the annual deficit. The annual deficit just keeps heaping on to the accumulated deficit. The accumulated deficit is probably in the neighbourhood of about \$90 billion.

Mr Stockwell: It's called the debt.

Mr Callahan: Whatever you want to call it, it's still an albatross around the necks of our future generations. That has to be dealt with.

I can remember the good Treasurer standing in the House for the first budget he delivered—

Mr Stephen Owens (Scarborough Centre): The excellent Treasurer.

Mr Callahan: Yes, my good friend, but I'm afraid his economics are somewhat outdated.

I can remember him standing there and saying to this House, "We're going to spend our way out of the recession." Well, we spent our way out of the recession. We sure did. I think that year we had a \$10-billion or \$11-billion deficit.

Hon Richard Allen (Minister without Portfolio in Economic Development and Trade): You won't find those exact words anywhere.

Mr Callahan: Well, I remember it. I remember it clearly.

I also remember the opportunity the Treasurer had to take the GST and the PST and to have them—I'm trying to think of the word. Not homogenized. What's the word, John? Harmonized.

Ms Christel Haeck (St Catharines-Brock): Same thing.

Mr Callahan: It is the same thing, I'm told. Thank you.

We urged the Treasurer to do it. We urged the Treasurer to do it because that was \$500 million each year, maybe more: Depending on how many retail products and so on, goods and services, were sold, it would increase. The Treasurer said, "No, we won't do that." It was politically unpopular. But in a leadership role, that \$500 million—I remember saying to him in this House, "You will rue the day that you did not do that." So there's \$500 million. Perhaps it would be \$600 million, \$700 million, \$800 million now that we would have had in extra revenue. He didn't do it.

He also decided to give the public service, in the first

year of this government's mandate—and thank God he did, I guess the public service would say, because when it got hit with the social contract he took it all back—a pay raise that I think was in the neighbourhood of about 7% or 8% when other people were losing their jobs, losing their homes and not getting any raises at all, and they thought that was great. What does he do the year after, or I guess it was in 1993? He said: "Okay, we've given you that raise. We're now going to take it back, and we're taking it back through the social contract legislation."

There are people I talk to in my community of Brampton South and around this province who say, "Bob Rae had a lot of guts to stand up and introduce the social contract." I'll tell you, when it was first introduced into the House that thought went through my head too. But as I examined it, and I urge each and every Ontarian to examine it, and those who were affected by it already know this, the savings are really not savings.

For instance, in my role as critic of Correctional Services, I discovered from guards in the various correctional facilities that the way they dealt with the social contract was that if you had to take what is lovingly called a Rae day, they in fact brought in someone at overtime or they brought in a part-time worker. So what you had was somebody being paid more than the person who was taking the Rae day. You had people coming in who would not have had to be brought in if the person didn't have to take the Rae day.

We have seen it in the nursing field. I've had nurses tell me that in cases where the RNAs had to take their Rae days, they were bringing in RNs to cover the Rae day. We all know that a registered nurse makes more than a registered nursing assistant; again, a simple situation where, although it looked good and it looked like Bob Rae was really taking control here, it was all smoke and mirrors.

Similarly in the police force. In essential services it's really interesting because the legislation itself does not allow for them to take money for their Rae days. So in this period of time that these essential services are building up, three years—it'll be 1996, I guess—the people of this province are going to find that we're going to have to find people to replace these essential services people, because they're entitled to 36 days. That is, of course, unless we're going to do without a police force, a fire department and all of these other essential services for 36 days and just let the felons run loose and the fires burn down the city. So that's a ticking time bomb that taxpayers must really understand.

1700

When we look at the other factors of the budget—and I'd speak about the budget itself but, as I said, it's a sleeper; it's a snorer; it's a snooze; it's a bore. But you have to look at it in terms of the budgets he gave us before this that have created this tremendous difficulty in this province, have dragged this province to its knees, in fact. Because when you look at the other aspects of it, what does the NDP government do in terms of trying to reach that magic target of \$8 billion this year in terms of its annual deficit? They create four crown corporations.

I think it's important to understand Mr Laughren's sleight of hand. He could probably make the Statue of Liberty disappear. He creates four crown corporations and he transfers civil servants from the payroll of the government of Ontario into those crown corporations. Those crown corporations are not reflected as part of the debt of the province, so therefore we have instantaneously, just like that magician—Doug Henning, I think his name is—made the Statue of Liberty disappear, Floyd Laughren and his cohorts in cabinet thought, "This is a marvellous way to fool the people of Ontario," and in an instant they created four corporations and they eliminated those civil servants by moving them over on to the financial statements of these four crown corporations.

That was a great idea. That really fooled the people of this province. It allowed Mr Laughren to—

Ms Haack: On a point of order, Madam Speaker: It may be a moot point in some circles, but I believe that "fool" is not really an appropriate term. I hope you might address that with the member.

The Acting Speaker: I would ask the member for Brampton South to reconsider the remark he made about fooling the people of Ontario. Would you withdraw?

Mr Callahan: I will certainly withdraw that. I always thought it was only if you called somebody a fool in this House that it was unparliamentary. All right; he outfoxed them.

Interjections.

The Acting Speaker: To the member, there is a level of dignity that I would like to have everyone adhere to. Thank you.

Mr Callahan: He painted a picture that was rosier than it should be. How's that? I think that's an acceptable phrase. That probably makes it clearer for people who are watching this.

Having done that, and we're going to take this argument further, not only did he create four crown corporations to paint a rosier picture, but then they get this magnificent idea: "Let's sell off the assets of Ontario. Let's sell off the GO trains." I think jails were even on the block at one point. "Let's sell the buildings." I'm surprised they haven't sold this place, because we wouldn't have had to refurbish it at tremendous expense to the people of this province. We could have sold it off to some developer. We could have sold it off to a private concern. But the most difficult thing I have is, if you're going to sell the assets, if you're selling the family farm, the next thing you know, they'll be selling the conservation areas and the provincial parks and leasing them back. That would be the next step, I would think.

Surely that is, while you do have the power, really letting the people of Ontario down. What you're doing is selling off assets, knowing full well that as you do that, you reduce the accountability and the financial worth of the province. Then when you've got to lease them back, you're at the mercy of the people who have bought them, and probably bought them for a tax write-off, and you have to lease them back at exorbitant rates. In fact, what you're doing again is mortgaging the future of this province, but it doesn't show up in your current budget,

so you get a good budget that's a snoozer and a snorer and is a great election budget. You go out to the people of Ontario and say: "Hey, look. We didn't increase any taxes. We gave you a budget where we just simply did nothing. It was a stand-pat budget."

I think that's a myth as well, because in the budget, if you look very carefully, there are fee increases. The Treasurer doesn't call that taxes, but it's in the neighbourhood of \$48 million to add to the something like \$122 million they've increased over the period of their mandate. These are things such as, if you buy a house, you pay twice as much to register the deed and the mortgage. You used to pay \$25. As a result of the budgets and the fee increases by this government, that's increased from \$25 to \$50.

Now, somebody would say, "Well, so what?" In fact, what it does is it means that if somebody is going out to buy a house and they've got just enough money to get the down payment, which is the case with most people, that additional \$50 or \$100, plus the searching of judgements against the people's names, which went from \$2 a name to \$11 a name—that's an astronomical increase; nobody's ever done that—those increases could possibly take out of the reach of a young couple or people who are just managing to make it the opportunity of buying a home.

Then if you die, instead of bringing in inheritance taxes and biting the bullet and taking the political heat for it, they went in the back door. What they did was they increased probate fees. Probate fees are the fees you pay on the value of an estate at the time of death. It used to be a certain percentage, a very minor percentage. Today, the percentage has been increased to such a large extent that in fact it amounts to a death duty.

So you carry on in Ontario thinking: "Well, this is a stand-pat budget. Thank you, Mr Laughren. It's a snorer, a snoozer. You didn't do anything to us." Well, I'll tell you something. There's a time bomb ticking there that the people of this province are going to realize, maybe not tomorrow but certainly in a year or two or three years down the line, or perhaps when they die, or perhaps when they buy a house or when they go to renew their driver's licence. Look at the considerable increases there have been in drivers' licences, licence plates, everything imaginable. Everything that walks, breathes and can be taxed has been taxed by fee increases.

We have a filing fee for corporations: \$50 for a corporation, \$25 for a non-profit corporation. We had anticipated that the Treasurer would realize that if he got rid of that nuisance—and that's all it is, a tax grab—he would have been able to cosy up to business, which he had difficulty cosying up to and in fact had alienated to such an extent that companies are moving out of this province left, right and centre, and the net result is that jobs are just being lost, a tremendous amount of jobs. He didn't do it, though, and what was it worth? It was worth about \$12 million a year in totality. He could have generated a lot of goodwill with business and a lot of goodwill with our non-profit corporations if he had just eliminated it.

I remember the Minister of Consumer and Commercial

Relations standing up over there and saying, "Well, it's absolutely necessary because we have to know who the directors are on the company." I agree with that, but surely they don't change that often and surely you don't have to charge \$50 to do this. I've heard, which I think is outrageous, of people who have corporations and for some reason they forgot to do the filing and found that their corporation was killed. In order to get it back, as you know, Madam Speaker—you've chaired the private bills and regulations committee—they have to come down here to Big Brother, to Queen's Park, pay thousands of dollars and legal fees to get the corporation revived in order to ensure that the assets of that corporation don't wind up in the hands of the public trustee.

What else have we seen this government do? Advocacy legislation. They're great job creators but their job creation is somewhat of a myth.

Jobs Ontario: I don't know about you people but I've had experiences in my constituency office recently which just blew my mind. Some fellow came into my office and he said, "Mr Callahan, I went to school, having been sent there at the cost of the government." I think it was the federal government of the day; \$50,000 to educate him to be a welder. He was now a master welder. He went to Jobs Ontario to see if he could get a job as a welder and they looked through their little files there and they said, "Yes, here's a company."

They sent him to the company. The company has had him sweep floors; the company has had him move wood from point A to point B. I think in the course of his year there, he's had one week of welding. In fact, he was so concerned about the whole situation he went back to school again because he was afraid he'd lose his trade.

These people are being paid, I understand, \$10,000 an employee. So it opens up great possibilities for a company: Don't deal in a product, deal in people. Say, "We'll take two welders, we'll take two carpenters, we'll take this, that and the other thing." It looks great on the government's political agenda that it's created these jobs.

Advocacy legislation: God forbid that legislation should ever be passed. Thank God it's not going to trigger until January 1995, and hopefully by that time an election will have been called and we'll get rid of the silly stuff. They scared the living daylight out of seniors in my riding calling up my office and saying, "I need a power of attorney, Mr Callahan." They had absolutely no idea what it was all about. The government did a very poor job. But what it does do is it creates a great bureaucracy of advocates.

1710

One thing I've learned in the 10 years I've been in this Legislature is that the New Democratic Party's approach to legislation is always one that is going to create jobs, but it's jobs that it controls and that are within its framework, as opposed to encouraging small business to generate jobs in the normal way, by reducing red tape, cutting taxes, as we espouse.

In any event, this advocacy group is just going to be absolutely marvellous. I've talked to some doctors and dentists who are scared silly. One dentist told me that,

under this advocacy legislation, if a little kid comes into the office with his mother and the doctor wants to give him some type of treatment and the kid says, "I don't want it," they have to stop right there and they have to call in an advocate. If that's true, that is absolutely outrageous. That's mind-boggling.

I see I have about 10 minutes left, so I'm going to go to a couple of things of mine. Canadians and Ontarians keep talking about the deficit. There's no question about it that it is a ticking time bomb for this country and this province. I've tried to urge treasurers of all political stripes to repatriate our debt. One of the big problems we have in fact is that we are beholden by having much of our borrowing outside of this province and this country. We're affected by the change in the dollar. We're affected by the US inflation rate, as we've seen, which triggers our interest rates to go up and slows down our economy.

If Canadians and Ontarians are really serious about it, then we should be as serious as we were during times of crisis, like world wars, where we would, as Canadians, be prepared to keep a proportion of our debt, people who had money to offer would keep it in documents and loans here in Canada, and we could use that money to repatriate the foreign debt that exists right now. That would allow us to control it much more significantly. It would also allow us to more leisurely look after it, rather than taking the cut, rip and burn approach of the Harris revolutionaries.

If anybody buys that argument, then I've got swamp land in Florida to sell them. They're running around this province in a pre-election spirit, trying desperately to look over their shoulders and make sure that the Reform Party is not going to run candidates against them. They're going to cut, burn and bleed everything that walks and stands. They're saying they're going to reduce the taxes by 30% and yet they say they're going to bring the deficit down. Their figures don't add up. If anybody even looked at them in a minute way, they would find that their entire campaign is bogus.

Mr Stockwell: Explain.

Mr Callahan: Explain what?

Mr Stockwell: Explain why.

Mr Callahan: Because there's no possible way. You have statutory obligations which cover probably about 75% of your spending.

The Acting Speaker: Would you address your remarks through the Chair.

Mr Callahan: You can't possibly do it.

Mr Stockwell: What the hell are you talking about?

Mr Callahan: You'll get your chance. You can deal with it.

Mr Harris promises to cut personal income taxes, yet he'll pay for health care with a new health tax on personal income. Mr Harris would be the first one to accuse the Treasurer of voodoo economics by the four crown corporations and by reporting in a different fashion, so much so that the auditor complained about the way he reported; in fact, wouldn't give him an unqualified audit. Mr Harris complains about that, and yet on the other side

of the coin, as I say, what are you telling the people when you say you promise to cut personal income taxes and you'll pay for health care with a new health tax on personal income? That's voodoo. That's true voodoo.

Mike Harris promises to balance the budget. That doesn't add up as well. He's cutting personal taxes by \$4 billion. He's getting rid of the LCBO, which costs another \$600 million in government revenues, and he's promising to pay the WCB about \$100 million a year. He says he'll find his cuts by looking at less than 50% of current government spending. That's voodoo too.

He says the Tories will create 725,000 jobs. That's more than are currently forecast, yet their economic growth projections are lower than are currently forecast. How can they make a forecast and then exceed the forecast? That's voodoo too. That's fooling people.

The Acting Speaker: I asked the member not to use that phrase.

Mr Callahan: What, voodoo?

The Acting Speaker: Fooling the people.

Mr Callahan: Oh, sorry. Yes, "painting a rosy picture," painting a picture rosier than it is.

The Tories say they'll balance the budget within four years, make huge tax cuts and create more jobs. This is again based on unrealistic projections and unsound economics, yet they're flying around the province with this made-in-the-USA revolutionary document that, it's kind of interesting, is not in blue but in purple, I understand. Maybe it's not in vogue to go around the province with something in blue. As far as I can tell, it says nothing about being presented by the Conservatives. It's very silent on that. Maybe they're trying to fool the people of this province into thinking that the Conservative party and Brian Mulroney and all those ugly things the people denounced in the last federal election are gone.

The Acting Speaker: Would you rephrase that remark?

Mr Callahan: I'm sorry. Brian Mulroney and all those unspeakable things that relate to him are gone and he's not there any more. They're trying to shun him, get rid of him. I find it interesting.

What we need in this province is a restructuring—I've said this, and this will probably be the end of my speech—of how this place works. I have stood up here for 26 minutes and have blasted the New Democratic Party government and the Conservative third party, and really the forum of this place should not be available to do that. We should be given the opportunity through the process of this place to be able to tap the grey matter of every member of this Legislature for the benefit of the citizens of Ontario, instead of doing what I've done for the last 26 minutes. I did it deliberately, because I think there are certain things that come out from that, that show how, when you don't have a cooperative sharing of the mentality and the grey matter of the people in this legislative chamber, you have a government that is making its own agenda based on its own ideology and to the detriment of the people of this province.

Hon Bob Mackenzie (Minister of Labour): What did you do for five years?

Mr Callahan: The Minister of Labour asked, what did I do? Since 1985, I've argued that this place has to be reformed. The people of Ontario deserve better, particularly the people I see coming into my constituency offices who are losing their homes, who don't have a job, who have lost all belief in ever getting ahead, the young people, 30% of our young people out of work.

We stand here and play partisan politics in a chamber that should be a forum for democracy, should be a forum for all ideas being important, for a sharing of ideas, not allowing an ideology of whatever political stripe to hamper the full blossoming of that concept. If we did that, perhaps we would be earning our pay in a better fashion, because right now you've got maybe 10% of this place really running the show and yet people are paying 130 of us. That doesn't make sense.

I was particularly interested in looking at the question of children's aid societies and their statutory mandate to look after children, and yet the government, the minister, refused to meet with the head of our children's aid society. They're concerned about whether they'll have the funds to meet that mandate.

We're buying land in Costa Rica, and I find it absolutely incredible that Maurice Strong would be doing that. I applauded the Premier when he stopped Hydro from turning off the lights, but when he allows Mr Strong to go out and buy tracts of land in Costa Rica, that just blows your mind.

The other things we look at in the short term—and that's a part of our structure, the fact that we don't have a definitive term in this House—is that we don't provide risperidone for schizophrenics, put it on the formulary so they can have it. So these people live on the streets and they go in and out of the hospital. I saw last night a young lady, Catherine Fast I think was her name, who was found murdered because of changes that were made to the Mental Health Act which literally have made schizophrenics the street people of the world and have just cast them aside as nothingness.

1720

We've reduced moneys for kids with learning disabilities. A whole host of things we are doing is shortsighted and will result in us paying a great deal more down the line in terms of our programs. Yet there are ways. If we took the totality of this House and tapped the members' brains, instead of playing this game of, "We're in power, you're out of power," and the ideologies of the three political parties, we could come up with a better Ontario, not just for the children of today but their children and their children beyond that.

I suggest that things like casinos have done nothing to foster that image. All we've done is create perhaps another difficulty, without providing money to deal with the people who will suffer from this: the families.

My time has run out. I have many more things, but I guess I'll have to wait for another year.

The Acting Speaker: Questions or comments to the member for Brampton South?

Mr Stockwell: I don't want to confuse the member with the facts, but I think I will. You can argue what you

want with respect to our plan, and if you wanted to use some facts or even items that are of interest, it would be at least a little refreshing. Simply to classify it all as voodoo economics is maybe fair comment, if you can give us an example. In my two minutes, I would say give us a couple of examples of why exactly it is, besides just rhyming off what we said we'd do.

Let's talk about the debt. Obviously, you didn't read your briefing notes when you were in government. The debt you received or incurred was not \$50 billion from the Conservative Party. The debt you received was \$32 billion since Confederation that was attributed to the province. When you people, the Liberals, left office, the debt had gone from \$32 billion to \$42 billion.

Mr Turnbull: In five years.

Mr Stockwell: In five years of those salad days of the 1980s, when we had all kinds of money and so on and so forth, it went from \$32 billion to \$42 billion.

You are correct with respect to the NDP's record. They've taken it from \$42 billion to \$90 billion. If they have another budget, we'll hit \$100 billion without too much argument. I don't think even members across the floor would argue too much. It'll be very close to \$100 billion.

Just for the public to understand—and I don't want to say who's right and who's wrong—what it's come to is that from Confederation to 1985 the debt was \$32 billion. During the Liberal reign of 1985-90 the debt went from \$32 billion to \$42 billion. Then, when the NDP got elected, since 1990 to date it's gone from \$42 billion to \$90 billion. If they introduce another budget, as the Treasurer suggested, it will probably increase another \$10 billion, roughly, to \$100 billion.

If you look at the record, it seems fairly clear to me who was the best at keeping a lid on the deficit. I'll tell you two things: It wasn't the NDP and it wasn't the Liberals.

The Acting Speaker: Further questions or comments? Seeing none, the member for Brampton South has two minutes to respond.

Mr Callahan: I guess I only have to respond to the member for Etobicoke West. To begin with, in the Harris plan you promise to balance the budget within four years and you're not going to touch 55% of existing spending. To me, that is voodoo economics, okay? That's your first example. The second example is that you say you'll create 725,000 jobs more than are currently forecast, yet your economic growth projections are lower than are currently forecast. That again is voodoo economics. How can you make that statement under those circumstances?

In any event, going back to the deficits, as those were the issues addressed, there was a time in Ontario where there was no accumulated debt. I believe it occurred within the framework of—maybe after Roberts. Or was it during Roberts?

Interjection: Before Roberts.

Mr Callahan: Okay, before Roberts. Within the framework of the Tory premiers from that day on, they accumulated that debt. I'm not in favour of anybody accumulating a debt, because what we're doing is trying

to sell the future of the people of this province and get ourselves re-elected on the basis of their own money. That is really voodoo, that is unfair and that is untrustworthy in terms of politicians, and we should learn that that's not the way to go.

The net result of all of this, and I will end with this, is that the people of this province would be better served if we worked a very immediate and far-reaching reform on how this place is run.

Mr Ted Arnott (Wellington): I'm pleased to rise this afternoon to have the opportunity to speak to the budget.

Applause.

Mr Arnott: Thank you, to my colleagues who are so kind in their applause.

We've seen the budgetary policy of this government continue forward over the last—this is the third budget of the government, I believe. We've seen some degree of consistency in the budgetary policy of the government but we've seen problems with it. We've seen the willingness of the government to incur very, very high debt levels. We started off the first budget and I believe the deficit was about \$10 billion. I recall sitting in the chamber the day the budget was read and being absolutely shocked by that level of budgetary deficit.

Since the New Democrats have come to power, the net debt, the accumulated deficits that they've incurred over the last number of years, has doubled. Just the provincial debt was about something like \$40 billion when they took power. This doesn't include the Ontario Hydro debt, the unfunded liability to the Workers' Compensation Board and some of the other obligations that the province has. When they came to power, it was about \$40 billion; it's now about \$80 billion. When this budget is done, they'll be about \$90 billion in debt.

It's interesting to contrast over a 10-year period because when the Conservatives were last in office in 1985 the budget debt was about \$30 billion. Of course, after this budget is through, it'll be about \$90 billion—tripling the debt in 10 years, and that is something that should concern us all. I think it concerns most of us. Perhaps some of the New Democrats are not so concerned, but that's unfortunate.

Very rarely do we in this House talk about agriculture, unfortunately. There are very few opportunities to talk about agriculture, and of course the tradition with the budgetary debate is that members are free to talk about any subject, so I want to talk about agriculture for part of the time that I have available to me.

It's interesting to see the response from the agricultural community to the budget. The Ontario Federation of Agriculture, which is probably the most important and the largest interest group that represents farmers, reacted very negatively to this budget.

Roger George, who is the president, was quoted as saying, "The OFA was not looking for megabucks, rather a reaffirmation of the government's commitment to the agrifood sector and Ontario's rural communities and a recognition of the role that rural Ontario has to play in the creation of new wealth in the provincial economy." He also expressed concern about how many aspects of

the budget seemed to be playing to an urban audience. The government was boasting about many of the commitments it had made with respect to Highway 407 and the new subway lines in Toronto. That's a big aspect of the budget, yet there didn't seem to be any recognition that rural Ontario even existed, unfortunately.

Another thing that the OFA mentioned with respect to the budget was its disappointment that the gross revenue insurance plan payments, the support level for GRIP, were not increased to 85% from 80%. Many provinces do support their farmers, through the GRIP program, at 85% price support. We in Ontario have 80%, and I think the farmers of Wellington county would be interested in hearing an answer as to why the government has not proceeded to increase the level to 85%.

Our caucus had the opportunity to meet with a number of the representatives from the Ontario Milk Marketing Board. In Wellington county we have a great number of dairy farmers. I don't have a specific figure, but it's one of the most important aspects of our rural economy. Overall, across the country, Canada's supply management commodities contribute about \$16 billion and 100,000 jobs to the Canadian economy. So you can see locally and you can see across the country how important supply management is to our farmers and our rural communities.

There were a number of concerns that they expressed to us. They were very concerned about the government's farm labour bill. It's something that I hope to get a chance to speak on at significant length as the debate continues. I want to register my complete opposition to that bill, and I hope that we can convince the government to withdraw it.

1730

There was another concern that was addressed at our meeting from the cream producers. Some time ago, in an effort to encourage many cream producers to convert their quota to milk quota, they were asked to do so. Unfortunately, the farm products marketing commission made an erroneous ruling suggesting that farmers who converted would still have a significant penalty, and I believe it was 15% of the value of the quota.

The Minister of Agriculture, Food and Rural Affairs, to his credit, overruled that commission's ruling, and I think he was wise to do so. I think the commission made a mistake in its initial ruling. I was pleased to have written him a letter encouraging him to respond, and I was pleased that he listened to the concerns that were expressed to him. I think that's something the minister deserves credit for. That's agriculture, and I think it's clear that the provincial government must address the concerns of farmers if rural Ontario is to flourish.

One of the other more important issues in Wellington county today is our health care and our hospitals and our emergency departments. I'm pleased that the Minister of Health is present in the chamber to hear the comments I intend to make today.

We have three hospitals in Wellington county proper and we also utilize the Guelph hospitals. The three hospitals are Louise Marshall Hospital in Mount Forest; in Palmerston, the Palmerston and District Hospital; as

well as the Fergus hospital, which is known as Groves Memorial Community Hospital. All of these hospitals play an important role in primary health care delivery to the people of Wellington county.

We've had some problems over the last number of years in terms of staffing our emergency departments. Three years ago we had a major problem in Mount Forest. That was corrected actually, and we have a situation now where our doctors are staffing the emergency department, although that issue has sprung up at a number of other hospitals around the province recently, and I hope the minister will respond. I know she has set up a framework to attempt to negotiate a solution bringing in all the partners, but I hope very much she recognizes that the delivery of medical care in rural Ontario is significantly different.

The doctors face different challenges: yes, their workload is heavy; yes, many of them are overworked. But I think the doctors also have to recognize that they have a tangible benefit by having the ability to admit patients to those hospitals, and they should recognize their need to serve their communities. I wish the minister well in terms of solving that problem, and I hope she will recognize that delivery of rural medicine is in fact different.

There's another important issue affecting one of our hospitals in Wellington county, and that's the Palmerston and District Hospital. We have a proposal that has been put to the ministry that requests no provincial dollars, but is asking for approval from the ministry for the use of their own funds for renovations in their laboratory, physiotherapy, medical records, paediatrics, imaging and speech pathology departments.

The cost of these renovations will be covered by available hospital funds and by donations from the Palmerston and District Hospital Foundation. The changes in department facilities will not result in significant expansion of the role and scope of these departments, nor will the changes to the building result in significant additional operating costs. It's a very good proposal and I would commend it to the minister, especially given the fact that the government purports to support infrastructure spending. This is something we need approval for immediately, and I hope the minister will review it and get back to us with a favourable response.

I want to talk briefly about the environment. It's interesting how the environment, such a topical issue, I think, when all of went canvassing in 1990, was very much foremost on people's minds. Because of the economic crisis, it's not foremost on a lot of people's minds any more. It's too bad. I think we all have to continue to realize that we want to preserve our environment, to leave our children clean water and clean air. We've got to be very cognizant of that, but still I think one of the most important practical environmental problems we face in rural Ontario, and certainly in Wellington county, is the continuing waste management issue.

Recently, I guess over the last 10 or 11 years, Wellington county and the city of Guelph cooperatively have endeavoured to try to find a landfill site. It's been a very difficult process. It's not yet been successful. It's been very costly.

I raised in the Legislature in December 1992 a number of suggestions to the Minister of the Environment as to how the legislation or the rules or the regulations governing waste management could be changed, in my view, in a better way to meet the public interest. At that time, of course, the member for Etobicoke-Lakeshore was the Minister of the Environment. I suggested that the ministry should devise, in consultation with municipalities, for land owners who are displaced by the development of waste management facilities a suggested compensation policy which is fair and equitable and reflects the degree of inconvenience these people experience.

I feel very strongly about that. I think if the province were to take the lead and work with municipalities to devise a suggested compensation policy, a lot of the problems we have with respect to people who are fighting landfill developments tooth and nail would be minimized. A lot of people are naturally very concerned about the environment of the area that they may have lived in, and in some cases their families have lived in, for generations. But they're also very concerned and part of the emotional aspect comes forward in that they fear the economic loss of their property. They may have their whole net worth represented in that property, and if they feel that's going to diminish or completely erode, they're very, very concerned. It highly motivates the degree of opposition they are able to generate. If they were aware up front that they were going to be compensated fairly by a generous compensation policy which would be even more than just the market value, I think we would have a much better way of approaching our waste management problem.

That's not to say you wouldn't ensure that the dump site would be the safest environmental site possible. I'm not saying that, obviously. I said at the time and I continue to say that the minister has a job to do to explain the environmental assessment process to people, because people don't understand the environmental assessment process. They don't realize there are a number of steps that a dump has to go through before it will be approved and that, generally speaking, the dump has to be demonstrated by environmental experts and consultants' reports as the safest possible place in the municipality to put a dump site. The minister has a job to do in terms of explaining that to people. If people understood that, they'd feel a little more confidence in the process.

The government should stop blindly endorsing the positions of extreme environmental pressure groups. I feel that has motivated their policy with respect to waste management over the last couple of years. This prevents the provincial Ministry of Environment and Energy from responsibly and fairly evaluating all waste management alternatives. There are a number of alternatives, of course, that this government refuses to evaluate in a fair way, alternatives such as energy from waste, state-of-the-art incineration and rail-haul of garbage from communities in the south to willing host communities in the north. I still believe those options should be at least considered. It's unfortunate that the government uses its ideology to delete options from consideration.

I still believe the Minister of Environment and Energy

could provide more leadership with respect to waste management. That's what I've said implicitly to this point. But that ministry has a significant budget, and in many cases much of the waste management master planning that's going on in various municipalities across the province is being done in duplication, in triplication. I don't know if there are 50 waste management plans going on. A lot of that is being done 50 times, at a significant cost to the local taxpayer. I firmly believe the ministry could take a greater leadership role. To the extent that work is being duplicated, the ministry could do it. Then they could hopefully recommend to municipalities a preferred waste management solution that could be tailor-made to local communities. I still believe there's a great deal of work the government has to do with respect to waste management. It's still a very difficult issue in Wellington county and across the province, and the minister ought to address it.

I want to talk about another issue that is on a lot of people's minds in Wellington county, and that is our welfare system. In my opinion as the member for Wellington, I think it's important that I start off by saying we must help those who are truly in need. To do that, we need to maintain public support for our welfare system. Right now I would venture to guess that public support for our welfare system is at an all-time low. Times are tough. People who are working, who are fortunate enough to have a job, are paying very high taxes, and when they continue to read stories about welfare fraud and how some people are absolutely ripping off the welfare system, their support for the system diminishes.

1740

It's important to maintain public support for a welfare system that we need because there are people in need. There are people who physically cannot work because of physical disability. There are others who unfortunately have lost their job, have exhausted their unemployment insurance benefits, have come to find themselves with no option but to apply for social assistance, who are on it on a temporary basis but will find work, and those people ought to be helped. And there are single mothers who need support while their children are young.

I keep coming back to the issue of public support for our welfare system. There has to be public support or the welfare system will not exist. I raised in the Legislature some time ago one of the issues in Wellington county that had been raised by our own county social services department. They had written numerous letters to the Minister of Community and Social Services specifically complaining about the Social Assistance Review Board, which was routinely, and I understand in just about every case, ordering interim assistance. If an applicant for social assistance had applied to the county and been turned down and appealed to the Social Assistance Review Board, the Social Assistance Review Board was routinely ordering interim assistance.

Because of the backlog at the Social Assistance Review Board, SARB, it was taking up to a year to hear the reviews, to hear the appeals. As a result, there were young people especially—I call it student welfare, but social assistance for 16- and 17-year-olds is the actual

terminology—who are getting on the social assistance treadmill even though they've been turned down, even though our county has said they weren't eligible, and they were on social assistance for up to a year.

There was one example, and this is absolutely documented, where a 16-year-old girl in Wellington county was actually living at home with her parents in a self-contained apartment; I assume a basement apartment. She was receiving social assistance because even though the home was fit, even though she'd been denied by our county, she had appealed to the Social Assistance Review Board and was receiving assistance.

There was a great deal of coverage of that issue, but I feel the minister has to respond to the problems at the Social Assistance Review Board. I understand from my contacts at the county that there has been some improvement there, and I want to commend the minister. Hopefully, he has followed up. I hope the question I raised had some impact and I hope there will be more action taken with respect to that issue.

As our party's small business advocate, I've had the opportunity to meet with a number of business groups and small business people across the province and in my own area of Wellington county over the last number of months, since the fall, since Mike Harris decided we needed a task force on small business. It's been a very interesting learning experience for me. It's a continuation of much of the work we've already done in formalizing, I guess, the consultations we've done. We've heard a great deal about how the government has to get off the backs of small business in order to create the jobs we need. We all recognize that small business is probably the way we want to go in terms of job creation, since most economists will tell you that about 80% of new jobs are created by small business. And we've heard that taxes have to be reduced such that small business people want to invest and expand in Ontario.

I think we all understand that message. The government understands that. In their own budget of a couple of weeks ago, they admitted that the payroll tax, which was of course brought in by the Liberal government—the employer health tax, it's called, the tax which is a direct percentage of the payroll of a small business—was creating problems and wasn't facilitating job creation. What the government is doing, of course, is saying that small employers will have a holiday for the coming year. If new employees are hired, there won't be employer health tax assessed on that.

I think that's a good move, but it clearly doesn't go far enough. We've said in a number of reports to the government pre-budget, and in a number of ways suggested—and it's something the Canadian Federation of Independent Business has been suggesting too for quite some time—that small business, those businesses under \$400,000 payrolls, ought to be exempt from employer health tax. That would be a way to remove that barrier to job creation. We have to remember too that payroll taxes have nothing to do with the profitability of a business. A business could be losing money, yet they're still assessed this payroll tax, and that's a problem.

I still chastise the Liberal government for bringing that

initiative in. I think people ought to be reminded that it was the Liberals who brought it in. They will tell you that of course the economy was booming and they thought businesses could withstand it at the time, but clearly it is an inhibition to job creation. The Liberals have actually recognized that as well in their report, Getting Ontario Working Again, where they've said that payroll taxes are a problem. I forget the terminology, but in a very vague sense they're suggesting they might review that tax; again, not going far enough, in my opinion.

Another major concern to small business people today is the Workers' Compensation Board. We had an announcement from the minister this week. There have been a number of changes over the last number of weeks and recently with changes at the top. The chairman was unceremoniously asked to leave, as well as the vice-chairman. I think that was necessary, unfortunately. I don't know Mr Di Santo all that well. I'm sure he did the best job he was capable of doing, but the fact was, he was unqualified to take over that position. It's unfortunate that a political appointment was made in that respect. I'm sure there are many jobs in the government that Mr Di Santo can do very well, but that job he was not qualified for, unfortunately.

The Workers' Compensation Board has a significant unfunded liability, so there's a major problem of the long-term viability of the system. If we don't get that under control, we could see in maybe five or 10 years where injured workers cannot get the assistance they need after they've been hurt at work.

I also must say that we still get dozens and dozens of complaints every month at our constituency offices. People aren't satisfied with the service delivery at the Workers' Compensation Board, and I think that ought to be addressed.

While I'm on the topic of complaints at the constituency offices, I have to raise another issue. It involves the support and custody branch of the Ministry of the Attorney General. Of course that system was changed by the New Democrats shortly after they came to office. I believe everyone who had a court-ordered separation agreement, if there were child custody and support payments involved, had to go through the support and custody office. I would submit that that has created a significant addition to the workload at those offices.

When we phone down to the support and custody office on behalf of constituents who have phoned to complain, trying to get answers, we're often stonewalled, just as people are when they try to phone themselves. I find that totally unacceptable. I think when members of the provincial Parliament, who in some cases represent 70,000 people, as in my case, when my office contacts the support and custody branch of the Ministry of the Attorney General, I need to receive an answer, because I'm calling on behalf of all the people of Wellington, even though I'm responding to one constituent's call.

In many cases we're being told that they can't get back to us. They refuse to contact our constituents to give them information, and it's important information because it involves their income. In many cases they are in

absolute need of that money and they can't get answers. They can't even be told if the money is there or if it's coming. It's totally unacceptable, the level of service that the support and custody branch is extending to my constituents.

I know the Attorney General has a number of major issues—she raised another today with the gay and lesbian rights issue, the bill that was introduced today—but I think this is a very important issue because it involves in most cases single women, who have either become divorced or separated from their husbands, and their children, both of whom need the money that comes through that system. I think it's an important program and the government has to address the problems that they're experiencing there.

Getting back to small business, one of the main concerns that I've heard from small business people over the past number of months is the infamous \$50 corporate filing fee. I've told them that in my opinion it's just another tax. The government says it needs the information, the government says it needs the information updated, and I think to some extent I'm not qualified to say that's incorrect, because I don't know from the government side how often that information is required.

Clearly, the government is now using it as an annual fee. It's an annual opportunity to extract another \$50 out of every corporation in the province. I've been critical of the way the government has gone about this. They've sent threatening letters to many small businesses across the province that if the fee weren't paid immediately, the corporation would be dissolved. I think it would be absolutely foolish if the government tried to follow through on that, although I wouldn't put it past them, because they seem to have this absolutely negative and hostile attitude towards small business which is demonstrated time and time again.

1750

I have an interesting point to raise on this issue. I have a constituent in my riding named Gil Deverell, who is a lawyer in Mount Forest with the firm Grant, Deverell, Lemaich and Barclay. He's done extensive research on the issue of the \$50 corporate filing fee and he submits that this fee is outside the law. He's told me that there should have been a legislative amendment to the Corporations Information Act to allow the minister to collect the \$50 fee. The fact that she did it through a regulation means that it is invalid; it's not valid for the government. This is his legal opinion.

He's written numerous letters to the minister involved and to the Ministry of Consumer and Commercial Relations, and it's his considered opinion that the government is acting outside the law by collecting that fee. I hope that by raising this in the House I will get a response from the ministry as to how they view the legality of this thing, because I have a sneaking suspicion that Mr Deverell is absolutely correct and that this government is operating outside the law on that \$50 corporate filing fee.

I'd be remiss if I didn't sum up by talking about our Common Sense Revolution. I think very highly of this document. We in caucus had a great deal of input in this

and it's a culmination, actually, of about three and a half years of consultations among people in this province. It has five main components.

Number one is lowering taxes. We're saying that the provincial portion of your income taxes ought to be reduced by 30%. That alone would send out a message of confidence the likes of which this province hasn't seen in 10 years. We've suggested that government spending has to be reduced significantly and we've identified three priority areas where we feel it's important that government spending be maintained. Number one is health care, number two is classroom education and number three is law enforcement.

Interjection.

Mr Arnott: I know the Minister of Municipal Affairs is going to have this document to take home for the weekend so he'll have the opportunity to read it, and I hope he has a conversion on the road to Damascus when he reads it, but I rather doubt that he will.

We've identified, as I say, three priority areas that we feel should not be cut, but we've said that beyond that there should be a 20% reduction in government spending over a number of years. We've suggested that we need the help of Ontarians to further identify subpriorities within that reduction.

I had the opportunity to speak to the Ontario Municipal Recreation Association about this last night and their reaction was interesting. You would have thought that they would be very concerned about further budgetary cuts, but I think most people recognize that if cuts are done in a fair way, and I think too if the provincial government takes the lead—what we've said is the number of politicians ought to be reduced.

We've said that having 130 MPPs is inconsistent with 99 federal members of Parliament. We've said that the boundaries ought to be the same and we could have 99 provincial members of Parliament. That's a 24% reduction in the number of provincial politicians. It's a symbolic move, I will give you, but I think it sends out the message that we're prepared to take the lead in this belt-tightening exercise that's absolutely required if we're going to maintain this province with any sort of standard of living that we've come to expect.

We've said as a third part that there are a number of specific things that should be done to eliminate the barriers to job creation. I believe that many of those have come out of our small business task force. I'm pleased to see the elimination of the employer health tax for small business; eliminating all the red tape that inhibits job creation; reforming Ontario Hydro and endeavouring to freeze rates for five years; cutting workers' compensation premiums by 5% in a way that's sensitive to all concerned in the workers' compensation process. Abolishing Bill 40 is one of my favourite aspects of it, because I think that Bill 40 has been a direct inhibition to job creation. It's the perception of Bill 40 in the business community that the province of Ontario is not interested in new business.

The fourth part is "Doing Better for Less," and I think most people in this province support that aspect. We're

suggesting that spending could be smarter and we feel very strongly about that.

"A Balanced Budget Plan": I think that's absolutely essential to restoring confidence in this province. We have to believe that we can do it and I think we can do it, but we've got to have a plan. We've got to have rigid discipline over a five-year period, I would venture, to get to the point where we can start paying down this incredible debt that has literally tripled in 10 years. I think it's very, very important that we have a credible balanced budget plan and that the government follows it.

This is the Common Sense Revolution, and I believe in it very strongly. It's unfortunate that some of the government members don't. Some talk about politics as being the art of the possible. Margaret Thatcher says it's the art of the impossible. I believe that.

The Acting Speaker: The member's time has expired. Now we have time for questions or comments to the member for Wellington.

Mr Bisson: I listened with great interest to the comments by the Conservative member on the other side. I want to comment on a couple of things he had to say.

One of the points was that somehow or other he was trying to insinuate that the government of Ontario, namely the New Democratic government of Ontario, was not interested in creating jobs in the province of Ontario. I would just like to say categorically and up front that he is totally wrong. Investment in this province is increasing over the years. We've gone through the worst recession since the Great Depression of the 1930s. The member seems to forget the facts as they are, the economic facts that we find within the country we call Canada.

I can tell you directly that at my house back home in the riding of Cochrane South, we have just about over \$500 million of private sector investment this year alone coming into the riding. That is because the mining industry and the forestry industry and others have confidence in the economy of Ontario and have seen Ontario as a good place for doing business.

The member should be a little bit fairer when doing an assessment in regard to the budget. I recognize this is a political debate, but the member should be a little bit fairer in his comments.

As for his comments in regard to what he calls a Common Sense Revolution, I would say there's not a heck of a lot of common sense in that. As you read that document and go through the total nonsense revolution that he's talking about, the measures really would be devastating to people in the province of Ontario. It is strictly an agenda to try to do some smoke-and-mirrors stuff prior to an election in order to get people to say, "Vote for me." But I say that if people were to fall into that, it would be tough times in Ontario indeed.

The Acting Speaker: Further questions or comments? Seeing none, the member for Wellington has two minutes to respond.

Mr Arnott: I want to respond to the member for Cochrane South. Unfortunately, he said I had said that the government is not interested in creating jobs. I didn't say that. I believe the government is interested in creating

jobs. I would submit to you, Madam Speaker, the government doesn't have the slightest idea how to create jobs in the real world. I think that's clear.

There are really two planks to the government's job creation policies. You're talking a good game, but all you're doing in terms of job creation is your direct infrastructure spending, which you constantly claim is creating jobs, and you've got a figure that you attach as the number of jobs you've created; that's one aspect of your job creation plan.

The other aspect is your Jobs Ontario Training program. You say you're supporting direct job creation. Yes, you are. I agree you are. That's the intent. You're sending a cheque of taxpayers' money for \$10,000 or so—that's the maximum; there could be some cheques that are less—to support job creation through training. I agree you're spending about \$1 billion on that Jobs Ontario Training program.

That's the limit of your understanding of how jobs are created. You're saying that government can create jobs; the government will create all the jobs.

You don't understand that the private sector creates jobs too. You don't understand that if you got off the private sector's back, the small-business people, they would create jobs. If they had the opportunity to go out there and sell their goods and services, if they had confidence in the provincial government, to the extent that can influence it—they have no confidence in you people. They have absolutely no confidence in your ability to manage the province. That's clearly a negative aspect in their opportunity to go forward and create jobs. They have no confidence in this government.

Clearly what they're looking for is a change, and a dramatic change. We call it the Common Sense Revolution. You watch: If we get the opportunity to govern, the spirit of that plan and the specifics of that plan will be reflected in government policy. I know that many on the socialist side won't like it, but the people of Ontario want it and I'm looking forward to seeing it realized as government policy.

Have a good weekend.

The Acting Speaker: The member's time has expired. Further debate?

Mr Norm Jamison (Norfolk): I'm pleased to rise to put my thoughts forward on the most recent budget and, for that matter, our term so far. I have many interesting things that I would like to say concerning the budget and the direction our government has taken. I know that, given the shortness of time, that may not be possible here today. I would then move that we adjourn debate, and I will continue on with my comments at a future date.

The Acting Speaker: Thank you to the member. He will be able to resume the debate at a further time.

The government House leader, would you let us know the business for the following week.

BUSINESS OF THE HOUSE

Hon Brian A. Charlton (Government House Leader): Pursuant to standing order 55, I wish to indicate the business of the House for the week of May 30.

On Monday, May 30, and Tuesday, May 31, we will continue second reading consideration of Bill 91, respecting labour relations in the agricultural industry.

On Wednesday, June 1, we will begin second reading of Bill 165, amendments to the Workers' Compensation Board act.

In the morning of Thursday, June 2, during private members' public business, we will consider ballot item number 59, a resolution standing in the name of Mr Sola, and ballot item number 60, second reading of Bill 130, standing in the name of Mr Eves.

On Thursday afternoon, we will give second and third reading to any outstanding Pr bills. Following that, we will continue committee of the whole consideration of Bill 138, the Retail Sales Tax Act amendments, and third reading of Bill 113, the Liquor Control Act amendments. The remaining time will be allotted to continuing second reading of Bill 165, the WCB amendments.

The Acting Speaker (Ms Margaret H. Harrington): It being 6 of the clock, this House stands adjourned until next Tuesday, May 24, at 1:30.

The House adjourned at 1802.

CONTENTS

Thursday 19 May 1994

PRIVATE MEMBERS'

PUBLIC BUSINESS

Recall process, private member's notice of motion number 41, <i>Mr Cousens</i>	
Mr Cousens	6423, 6430
Ms Murdock	6424
Mr Runciman	6425
Mr Winninger	6426
Mr Turnbull	6427
Mr Mills	6428
Mr Bradley	6428
Negatived	6439
Occupational Health and Safety Amendment Act, 1994, Bill 157, <i>Mr Winner</i>, second reading	
Mr Winner	6431, 6438
Mr Mahoney	6432
Mrs Witmer	6434
Mr Cooper	6436
Mr Hayes	6437
Mr Hope	6437
Mr O'Connor	6438
Agreed to	6439

MEMBERS' STATEMENTS

Municipal boundaries	
Mr Bradley	6439
Royal Week	
Mr Jackson	6440
Motorcycles	
Mr Hansen	6440
Great Lakes Alive	
Mr Offer	6440
G.A. Wheable Centre for Adult Education	
Mrs Cunningham	6441
Police services	
Mr Cooper	6441
Leader of the third party	
Mr Mahoney	6441
Mayfield Secondary School	
Mr Tilson	6442
Norm Jary	
Mr Fletcher	6442

ORAL QUESTIONS

Accessory apartments	
Mr Conway	6442
Ms Gigantes	6442, 6443
Mr Mahoney	6443
Mr David Johnson	6446
Mr Christopherson	6446
Ontario Hydro projects	
Mr Conway	6444
Mr Wildman	6444, 6445
Mr Stockwell	6445
Photo-radar	
Mr Conway	6447
Mr Laughren	6447
Anti-racism activities	
Mr Harnick	6447
Mr Cooke	6447
Federal highway program	
Mr Huget	6448
Mr Laughren	6448

Landfill

Mr Offer	6448
Mr Wildman	6448
Workers' compensation	
Mrs Witmer	6449
Mr Mackenzie	6449
Role of independent members	
Mr Ferguson	6449
Mr Charlton	6449
Social assistance reform	
Mrs O'Neill	6449
Mr Silipo	6450

PETITIONS

Kettle Island bridge	
Mr Morin	6450
Sexual orientation	
Mr Tilson	6450
Mr Cousens	6452
Legislative pages	
Mr Lessard	6452
Mental health services	
Mr Ruprecht	6452

REPORTS BY COMMITTEES

Standing committee on estimates, <i>Mr Jackson</i>	
Mr Jackson	6452
Report deemed received	6453

FIRST READINGS

Landlord and Tenant Amendment Act, 1994, Bill 166, <i>Mr Mahoney</i>	
Mr Mahoney	6453
Agreed to	6453
Equality Rights Statute Law Amendment Act, 1994, Bill 167, <i>Mrs Boyd</i>	
Mrs Boyd	6453
Agreed to	6454

SECOND AND THIRD READINGS

Capitol Theatre and Arts Centre (Windsor) Act, 1994, Bill Pr71, <i>Mr Dadamo</i>	
Mr Charlton	6454
Agreed to	6454
City of Burlington Act, 1994, Bill Pr83, <i>Mrs Sullivan</i>	
Mrs Sullivan	6454
Agreed to	6454
Tubertate Heat Transfer Act, 1994, Bill Pr86, <i>Mr Huget</i>	
Ms Haec	6454
Agreed to	6454
Wordz Processing Corporation Ltd. Act, 1994, Bill Pr90, <i>Mr Kwinter</i>	
Mr Elston	6454
Agreed to	6454
North Toronto Christian School (Interdenominational) Act, 1994, Bill Pr93, <i>Mr Harnick</i>	
Mr Harnick	6454
Agreed to	6454

Ontario Southland Railway Inc. Act, 1994, Bill Pr100, <i>Mr North</i>	
Mr Hope	6454
Agreed to	6454
North Toronto Business and Professional Women's Club Act, 1994, Bill Pr104, <i>Ms Poole</i>	
Ms Poole	6454
Agreed to	6454
City of Brampton Act, 1994, Bill Pr107, <i>Mr McClelland</i>	
Mr Elston	6455
Agreed to	6455
County of Dufferin Act, 1994, Bill Pr109, <i>Mr Tilson</i>	
Mr Tilson	6455
Agreed to	6455

GOVERNMENT MOTIONS

1994 Ontario budget, government notice of motion 26, <i>Mr Laughren</i>	
Mr Turnbull	6455, 6459, 6464
Mr Callahan	6458, 6464, 6469
Mr Perruzza	6459
Mr Sola	6459
Mr O'Connor	6459, 6464
Mr Stockwell	6463, 6469
Mrs Grier	6463
Mr Arnott	6469, 6474
Mr Bisson	6474
Mr Jamison	6474
Debate adjourned	6474

OTHER BUSINESS

Legislative pages	
The Speaker	6442
Business of the House	
Mr Charlton	6474

TABLE DES MATIÈRES

Jeudi 19 mai 1994

AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS

Loi de 1994 modifiant la Loi sur la santé et la sécurité au travail, projet de loi 157, <i>M. Winner</i>, deuxième lecture	
Adoptée	6431
Adoptée	6439

PREMIÈRE LECTURE

Loi de 1994 modifiant la Loi sur la location immobilière, projet de loi 166, <i>M. Mahoney</i>	
Adoptée	6453
Loi de 1994 modifiant des lois en ce qui concerne les droits à l'égalité, projet de loi 167, <i>Mme Boyd</i>	
Adoptée	6453
Adoptée	6454

CAGCN
X1
-023

Government
Publications



No. 134

N° 134

ISSN 1180-2987

Legislative Assembly of Ontario

Third Session, 35th Parliament

Assemblée législative de l'Ontario

Troisième session, 35^e législature

Official Report of Debates (Hansard)

Monday 30 May 1994

Journal des débats (Hansard)

Lundi 30 mai 1994



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers

50th anniversary

1944–1994

50^e anniversaire

Hansard is 50

Hansard reporting of complete sessions of the Legislative Assembly of Ontario began on 23 February 1944 with the 21st Parliament. A commemorative display may be viewed on the main floor of the Legislative Building.

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats a 50 ans

Le reportage des sessions intégrales de l'Assemblée législative de l'Ontario, fait par le Journal des débats, a commencé le 23 février 1944 avec la 21^e législature. Une exposition pour marquer cet événement est étalée au premier étage de l'Édifice du Parlement.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 30 May 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 30 mai 1994

The House met at 1334.

Prayers.

MEMBERS' STATEMENTS ONTARIO'S CREDIT RATING

Mr Monte Kwinter (Wilson Heights): In 1990, the last year of the Liberal government, Ontario enjoyed an AAA credit rating. Since that time there have been three downgrades, and on Friday, Moody's, the last of the credit agencies to react to this government's budget, downgraded the province of Ontario rating to AA3.

Credit ratings are not like rating movies. They're not abstract. They have a direct and high cost to those who want to purchase government of Ontario bonds. First of all, some investors are precluded from investing if the credit rating is below a certain level. The other repercussion, of course, is that the downgrade costs about 0.75% on all new borrowed money as a result of the three downgrades of this government's ratings. This means that the annual cost of borrowing has increased by \$150 million since 1990.

This is a very serious indictment of the government's fiscal and economic policies. This downgrade confirms that the rating agencies have not been fooled by the stratagem of having off-book debt, and unless the province gets its fiscal house in order, we will see more serious repercussions, to the detriment of all citizens of Ontario.

VICTORIA COUNTY

Mr Chris Hodgson (Victoria-Haliburton): Later this afternoon I will be introducing a private bill on behalf of the county of Victoria, Bill Pr106, An Act respecting the County of Victoria, which will result in a change in the composition of the county council and the voting authority of council members.

The passage of this private bill will enable county government to perform its duties more efficiently while at the same time generating significant economic savings to the taxpayers of the county. It will also allow council to better fulfil the obligations imposed upon it pursuant to the Municipal Act and other pieces of legislation applicable to municipal governments.

I commend the members of council for their foresight in limiting the current size and expected growth of its membership. The proposal that is being brought before the Legislature today strikes a balance between equality of representation and the financial limitations faced by every level of government in Ontario.

Perhaps the most important thing this bill does is that it sends a message to all of Ontario that Victoria county is open for business. Our local politicians are taking the lead in reducing bureaucracy, cutting red tape and limiting the size and growth of government. Their actions

indicate that they are acting in the best interests of the community to increase opportunities and bring hope to the hard-working people of our area.

I respectfully request that every member of this House support the speedy ratification of this legislation so that the proposed changes may be implemented in time for this fall's municipal elections.

OAK RIDGES MORaine

Mr Larry O'Connor (Durham-York): The Oak Ridges moraine is the predominant land mass that runs from the east to the west through the top of the greater Toronto area, including parts of Peel, York and Durham regions. Similar to the Niagara Escarpment, the moraine represents a beautiful, unique and environmentally sensitive landscape. It contains a significant natural habitat, kettle lakes, groundwater aquifers and significant sand and gravel deposits.

But the Oak Ridges moraine is threatened by urban sprawl and increasingly dangerous development pressures. The protection and management of the moraine is of great concern to this government, as well as to all the people in this central part of Ontario. In an effort to continue public consultation and discussion for the protection and management of the Oak Ridges moraine, a technical working committee and a citizens' advisory committee have proposed a long-term strategy discussion paper. The purpose of the discussion paper is to allow all interested parties to work together to develop a plan for the future that meets the human, economic and ecological needs within the greater Toronto area.

I am very pleased to inform the Legislature that the beginning of these consultations is in progress. I wish the members of these committees well in all their efforts.

The Oak Ridges moraine is an important part of Ontario's natural heritage and deserves the recognition and the attention that it's getting. There is a lot of documentation out there, and I would encourage people to seek that information.

TEACHERS OF THE YEAR

Mr Frank Miclash (Kenora): This past Friday the Ontario Institute for Studies in Education, along with the Toronto Sun, recognized 10 outstanding people from across this province. They paid tribute to the 10 1994 teachers of the year.

Eight of these award winners were from the Toronto area, but more importantly, two were from outside the Toronto area, from northern Ontario, an area of the province which hosts some of the greatest teachers in the province and possibly the world. The 10 finalists were chosen from 1,400 nominations, which became 50 finalists and then our 10 teachers of the year.

My nomination was one of the first to come from the

north in the nine years that this contest has been running. I saw Mr Bert Oussoren, my former high school teacher, the person who encouraged me to return to school, my student teacher supervisor, then my colleague when I became a teacher, to truly deserve the recognition of Teacher of the Year.

He, along with the nine others chosen, was honoured at a most impressive ceremony at OISE this past Friday. As well, they were the guests of the Toronto Blue Jays on Saturday, where they were individually saluted for their accomplishments.

I cannot say enough about the effort put into this contest by Dr Joyce Neskar Simmons and the Toronto Sun, along with the administration and staff at OISE, including Dr Arthur Kruger. They truly put on a fine weekend to recognize these teachers who are on the front line of this profession.

I, along with the other nominators, would like to thank these organizations for allowing us to recognize those teachers who had an impact on our lives. They were truly an impressive group to be with during this past weekend.

DIABETES FUND-RAISING EVENT

Mrs Elizabeth Witmer (Waterloo North): The odds are 1 in 20 that a person will develop diabetes, a disease that might lead to blindness, nerve damage, amputation, hearing loss or kidney disease. While diabetes can be controlled with insulin, there is unfortunately yet no cure. That is why it is so important to raise money for diabetes research.

On Saturday, I had an opportunity to assist with fund-raising for diabetes research in Canada by participating as a celebrity passenger in the fourth annual Flame of Hope Trail Ride and Carriage Drive '94, at the farm of Ted and Valerie Clarke near Elmira. This ride has grown in leaps and bounds from the first ride, which raised \$15,000 with 55 riders, to this year's coup of over \$60,000 with about 300 riders and 19 carriages.

The name of the ride is derived from the Canadian Diabetes Association's Flame of Hope, which burns in Sir Frederick Banting Square in London. This flame will only be extinguished when a cure for diabetes is found.

The event on Saturday was non-competitive, and it provided families as well as young and seasoned riders with the opportunity for a pleasurable experience at a leisurely pace, at the same time raising money for diabetes research.

I would like to congratulate the ride chairman, Laura Martin, Ted and Valerie Clarke and all the members of the Elmira branch of the Canadian Diabetes Association for organizing this highly successful fund-raising event.

CHILD AND FAMILY SERVICES

Mr Mike Cooper (Kitchener-Wilmot): I rise today to inform the members of the Legislature of the Waterloo region family and children's services' 100th anniversary, which was recognized at their annual meeting held April 28. The Kitchener-Waterloo Philharmonic Children's Choir opened the meeting. The foundation is a charitable corporation and provides lasting help to those who need it most, our children, giving our kids a better chance.

The annual meeting was a time to look at the history of family and children's services in our community. This was presented as a skit and was quite enlightening and enjoyable. We should all take the time to acknowledge and thank those individuals and organizations that contribute so much to our communities and our family life.

In 1894, when the family and children's services was originally formed by Rev R.C. Miller, with the assistance and contribution of various families in the community, including John Motz, L.J. Brightout, E.W.B. Snyder and the Lakner family, these individuals helped to lay the groundwork for the organization as it exists today. Now the activities and contributions are broader and more wide-ranging and now have a staff of over 150.

Also at the meeting was a presentation of the centennial year logo designed by Krista Berdan. Foundation bursary awards were presented to Dianne Ferreira, older youth; Debbie MacMillan, adult; Dustin Sampson, youth. Four individuals shared with us their experience, thoughts and ideas for family and children's services through their own experiences. Thank you to Roger Vokey, Cynthia Hawkins, Dustin Sampson and Elizabeth Izaak. Recognition was given to retiring board member Helen Wheeler.

To all of the individuals and their families I have already mentioned, and to Peter Ringrose and the staff and support groups of the Waterloo region family and children's services, we say thank you for your contributions to our community.

AIR AMBULANCE SERVICE

Mrs Barbara Sullivan (Halton Centre): Over 19 months ago, the leader of the Liberal Party, Lyn McLeod, stood in the House and raised concerns about the operation of the air ambulance system in Ontario.

She did so, and you will recall this, Mr Speaker, after the tragic incident involving a young Sault Ste Marie boy, who was 15 years old, following a car accident. The boy needed to be transferred from the Sault to Sudbury on an immediate basis, but unfortunately that emergency transfer took over seven hours. Doctors in Sudbury admitted that the boy's life may have been saved had he been transferred more quickly.

Some seven months later, after many requests from my leader, the government finally agreed to conduct a review of the air ambulance system. That review, which was completed in March of this year but not released to the public until late last week, concludes that gaps and duplications exist in the system, including guidelines that are unclear, inconsistent, not communicated and not enforced. The report recommended that an external provincial utilization review be conducted of the air ambulance service to obtain more information.

What was the purpose of the air ambulance review in the first place if not to address these very issues? Hasn't an external review already been conducted? After 19 months of waiting, surely now is the time for action.

Once again, the Minister of Health is shirking her responsibility rather than taking the specific action that's required to resolve these absolutely unacceptable problems in the air ambulance system.

BICENTENNIAL OF
BASTARD AND SOUTH BURGESS TOWNSHIP

Mr Robert W. Runciman (Leeds-Grenville): Earlier this year, a township in my riding of Leeds-Grenville received a great deal of media attention because of a controversy surrounding its name: Bastard and South Burgess. Some residents felt that Bastard was an inappropriate name, but after diligent research the name Bastard was proven to have clear historical significance and the name will remain. Residents have even produced pins, one of which I'm wearing, that state "Proud to be a Bastard."

In any event, the media attention should have been directed to the wonderful people of this area and their rich history as they celebrate their 200th anniversary. The Bastard and South Burgess bicentennial is truly special. A book of the area's early history has been written and an original song has been commissioned along with a bicentennial flag. There's even a special wooden coin known as a Bastard Buck that's been minted as a souvenir. Best of all, women in the township have crafted the township's first chain of office out of needlepoint.

The current Premier, Mr Rae, and his family have been long-time summer residents of the township. Although I frequently disagree with many of his government's initiatives, we're proud to have him as a resident and a legitimate Bastard.

On behalf of the township reeve, Howard French, and all township residents, I encourage members and other Ontarians at some point this year to join with these wonderful people and help them celebrate their 200th birthday.

NATIONAL ACCESS AWARENESS WEEK

Mr Len Wood (Cochrane North): This week is being specially recognized as National Access Awareness Week so that we may recognize and celebrate the achievements of persons with disabilities in communities throughout the country.

National Access Awareness Week was conceived by Rick Hansen as a means of removing barriers so that people with disabilities would have a better opportunity to participate in the social and economic activities of community life.

This week in Cochrane North the communities of Kapuskasing and Hearst are participating fully in National Access Awareness Week. Not only has the Kapuskasing Action Centre made this special week a tradition; it has turned it into a year-round effort.

A coalition of individuals and a variety of disability groups and organizations has pooled its efforts to bring to Kapuskasing a new understanding of the need for persons with disabilities to have full access to employment, recreation, housing, transportation and education.

While the committee works all year round, it has made plans to participate in National Access Awareness Week by holding awareness days at the Model City Mall on June 3 and 4. Participants will promote awareness through the use of videos and literature concerning disability issues. The event is meant to create understanding through information.

Hearst has taken a different approach, called Face to Face. Various organizations throughout the community, like the post office, the day care centre and Sam's Garage, will have an employee spend a few hours each day showing persons with disabilities how their facility operates. At the end of the week, there will be a mass and a brunch held at the church. Certificates will be awarded to those who have contributed to the integration of people throughout the community.

I want to commend all those involved in National Access Awareness Week, for it is through these types of partnerships and commitments that our goal of removing barriers to accessibility can be achieved.

LEGISLATIVE PAGES

The Speaker (Hon David Warner): I invite all members to join me in welcoming the 18th group of pages to serve in this third session of the 35th Parliament: Laura Benard, Kitchener-Wilmot; Hugh Boyd, Sarnia; Jamie Capper, Leeds-Grenville; Janine Carr, Port Arthur; Mark Chapeskie, S-D-G & East Grenville; Brooke Duval, Halton North; Elizabeth Elias, Willowdale; David Giansante, Etobicoke-Humber; Luke Griffin, Scarborough North; Kathryn Harris, Downsview; Elizabeth Hawkrigg, Wentworth North; Mary Jamieson, St George-St David; Paul Kerr, York East; Jason Lee, Muskoka-Georgian Bay; Kingson Lim, Carleton; Christopher Mar, York Centre; Patrick Marks, Dufferin-Peel; Johanna Martin, Grey-Owen Sound; Laura Ritchie, Cochrane South; Andrew Smith, Nipissing; Sarah Stephens, Oxford; Matthew Stepura, High Park-Swansea; Ciaran Stevenson, Durham-York; and Jenny Yip, Markham. Please welcome our latest group of pages.

1350

MEMBERS' PRIVILEGES

The Speaker (Hon David Warner): On Tuesday, May 3, 1994, the member for Halton Centre (Mrs Sullivan) informed the House that instructions she and other members had received from the Ministry of the Attorney General tended to place restrictions on when a member could contact the office of the family support plan on his or her constituents' behalf. According to the member, these instructions violated members' privileges.

I have reviewed the documents at length that the member provided to me, as well as our practices and precedents and the relevant parliamentary authorities, and I find that a prima facie case has not been made out. However, I thank the member for Halton Centre for bringing her concerns to the attention of myself and of the House.

STATEMENTS BY THE MINISTRY
AND RESPONSES

METROPOLITAN TORONTO HOUSING AUTHORITY
COMMISSION DE LOGEMENT
DE LA COMMUNAUTÉ URBAINE DE TORONTO

Hon Evelyn Gigantes (Minister of Housing): Today I'm ordering a full-scale review of the Metropolitan Toronto Housing Authority and its operations. Over the next three to four months, an independent firm will assess the strengths and weaknesses of MTHA's operations. The firm will make specific recommendations for short-term action to address problems and deficiencies we're already

aware of and will also develop recommendations for the long-term restructuring of MTHA.

For many years now, the Metropolitan Toronto Housing Authority has been home to the individuals and families of the Toronto community who have the greatest need of housing assistance. The housing authority is Canada's largest landlord, with 1,200 employees managing its 33,000 rent-geared-to-income units.

MTHA is a large, complex organization with the difficult mandate of providing decent, affordable housing for more than 125,000 people, and MTHA has had its share of problems along the way. But in the past few years there's been a lot of change at MTHA. Business practices have improved and residents are getting more involved in local decision-making. Now it's time for us to take stock of what we've accomplished and the work that lies ahead. This is the time to act.

We want Metropolitan Toronto Housing Authority to have a solid foundation to work from. We're overhauling MTHA so it will be able to respond to the changing needs of its residents and employees and use taxpayer dollars effectively.

We want MTHA to run more efficiently so its residents, staff and board members can turn their attention to the issues that all communities struggle with, issues like safety and security, racism, and community involvement in decision-making.

Nous examinerons le fonctionnement de la CLCUT dans son ensemble : ses activités, sa responsabilisation, les priorités qu'elle doit établir et le rôle que devraient jouer son conseil d'administration, le personnel et les résidents pour en faire un meilleur milieu de vie et de travail.

The review, which will provide short- and long-term direction for MTHA, will focus on five key areas: the extent of organizational change and restructuring required at MTHA; improving its management and administrative systems—for example, in areas such as purchasing and human resources management; assessing MTHA's effectiveness in setting priorities and delivering programs; examining how MTHA responds to the changing needs of its residents; and finally, reviewing employment equity and anti-racism issues.

I'm pleased to announce that Mr Ronald Hikel from KPMG Peat Marwick Thorne is undertaking the review. This company has an impressive record in organizational change, administrative efficiency, and employment equity and racism issues. Mr Hikel will work closely with the MTHA board of directors and its staff during this process of change. Mr Hikel will issue monthly reports to the Deputy Minister of Housing and to me.

These reports will be shared with the chair and general manager of MTHA and the chair of the Ontario Housing Corp and will allow the government to monitor the review. At the end of the review, our consultant will issue a final report to the ministry, which will give us a detailed assessment of the work that lies ahead.

In addition to the comprehensive review I am announcing today, members will recall that we have retained a consultant, Eloise Burke, in connection with the hiring

process for the position of director of equity at MTHA.

Ms Burke is reviewing current human resource policies and procedures at MTHA and clarifying the roles and relationships of the board, chair and general manager in recruiting practices. She has solid experience in project management, organizational reviews and human resource management. Ms Burke's work, which will be completed by July, will be a significant aspect of our larger review of MTHA.

A wider employment equity and anti-racism review started in December 1993 at MTHA and it will position MTHA to fulfil its obligations under the Employment Equity Act and to provide educational opportunities to implement equitable employment practices.

To conclude, Peat Marwick Thorne will assist in immediate steps to improve MTHA's operations and provide options for a long-term restructuring.

Members will recognize it took decades for MTHA to take the shape it has today, and to expect a transformation overnight is unrealistic. However, we do expect to see some immediate and tangible results. We are committed to the long-term restructuring of MTHA and this review will provide us with the framework for that work.

Mr Joseph Cordiano (Lawrence): I stand up with a great deal of curiosity about the announcement today. It was very curious to find out that here comes another crisis management performance coming to you courtesy of a government in crisis.

It took, I think, a series of allegations in newspapers, as reported in the popular press across Ontario, not just in the Metro Toronto area, of the recent problems associated with MTHA and its operations, and as we find out about these problems as they emerge and have emerged over the last number of months, the minister realizes she's got a problem on her hands. So how does she respond? By today coming to the House and saying, "We're going to have a review of MTHA."

Fair enough. I think everyone would agree with a review. However, Minister, the response does not measure up to the problems that are occurring at MTHA and have occurred over the recent past.

The problem I have specifically with this announcement is that it does not recognize that there are a number of problems that have occurred over the recent past, and the minister has not reassured the public or this House that the review will undertake to get to the bottom of those problems that have occurred over the recent past. Nothing is mentioned in her statement regarding those problems, and I suspect that this is an attempt to move forward from today on, forgetting what has occurred over the recent past.

1400

There's a great deal of concern with that, because if the minister is saying to us today that she does not recognize that there were problems, or if she's saying that from now on we're going to forget about what happened in the recent past, then I would say to her that what we're talking about are theoretical probabilities about the future and what they will do from now on.

I think the public has to be reassured, Madam Minister,

that there is in fact an MTHA that is operating with a regard for value for money. That has not been the case in the recent past, and I would say to her that she has to reassure the public that there is the kind of confidence in the management of MTHA that there was in the past. And I would say to the minister that there are problems that are associated with—

Interjection.

Mr Cordiano: Well, some of the problems that have come to light are problems that go back a long way. But I would say to her that some of the allegations are more particular, more specific.

At the end of the day, as I say, we welcome a review, but I'm concerned that this review will not include broad public consultation as well. I think it's fine to have an internal review and to have outside auditors come in and look to what is going on at the MTHA with value for money in mind, I hope. That's an expression we have not heard mentioned here, but as I look at her list, I would assume that at the end of the day value for money is uppermost in the auditors' minds, those who will be coming in.

But I would like to insist that the minister include broader public consultation. If what we're talking about is a complete overhaul of the MTHA and its operations, then I would say to the minister, I would implore her, to include the public. If in fact we're talking about a whole new set of directions that the MTHA will be going on, it has to include the community at large, because the MTHA does not live in isolation from those communities. Those communities are very much affected by MTHA projects throughout Metro Toronto, and I would hope and I would ask that she include the broader public in a consultative process, which I see lacking in her announcement today—very much so.

At the end of the day, the review will be completed. I'm glad to see that there are outside auditors who have been called in. But I would also ask the minister to allow the opposition members the opportunity to review those bimonthly reports and to have a copy of the final report when it is completed and to make those reports public so that everyone has a say in what new directions you might take.

Again, this fails in terms of public input and public consultation. So this is certainly not one of those efforts that I would agree with if it doesn't include public consultation.

Mr Chris Stockwell (Etobicoke West): We in the third party believe that the problems with respect to the MTHA go far beyond an audit. Our concerns have certainly been legitimized, we believe, by the auditor in reports outlined in the last couple of years. I certainly don't have to remind the minister that one of the audit reports said, on page 9:

"In the last two years, there have been several embezzlement cases in rent collection. The employees involved were able to take home and cash the money orders or cheques received from residents. This could be because of weak internal procedures."

We also don't have to go very far to realize during the

audit report that "Project 80 anti-corruption squad police joint task force are looking at tender irregularities that may involve criminal wrongdoing."

I might add at this point what I think happened is, the minister went to the phone book to look up "police" and she stopped at Peat Marwick and decided that an audit by an accounting firm was a more appropriate approach to take than ferreting out the irregularities, ferreting out the criminal wrongdoing.

We would like to be very clear on this issue: We have some very real concerns with respect to MTHA. We believe that wrongdoings are taking place and have been taking place for the past number of years.

During the last few weeks, we, by the questioning of our member for Mississauga South, have directly put it to the minister with respect to some of the concerns that we saw at Houselink and other audited reports that have called for very dramatic action and in fact police investigation. Each time the minister said that the member was overreacting and taking these things out of context.

Today, coming forward with a recommendation that we hire an auditing firm to review the procedures seems to be at least a tacit acceptance that there are some very real problems. But the real concern and the real issue is still not addressed, and that issue is: Is the law being broken at MTHA, who was involved, who knew about it, and how can we be sure that these people are not there still and will not work there in the future?

The next point that I would like to make is that there are some people who work within MTHA who should step aside during this audited process. We believe that the general manager, Patricia O'Connell, who has been involved in working at MTHA for a significant number of years and has been there during these irregularities, should step aside during this investigation.

Hon Ms Gigantes: Wrong, wrong. Get your facts right.

Mr Stockwell: The minister says, "Get your facts right." I ask her directly: How long has Patricia—

Hon Ms Gigantes: A year.

Mr Stockwell: At least a year. Okay, then I will correct the record and say she has been there a year. During this year, audited statements have come out condemning the practices at MTHA, and there have not been significant steps to rectify these concerns.

I say to the minister that these are the kind of concerns that must be addressed, but they don't get addressed through an audit by an accounting firm. These are not problems with respect to a company's profitability not being as high one year as the last; this is in respect to a procedural concern with respect to procuring goods and services. We're talking about embezzlement. We're talking about preferred treatment to suppliers. We're talking about audited statements that suggest moneys of the government have been inappropriately spent and cannot be traced. This is not a job for Peat Marwick; this is a job for the police, and the police should be in there investigating.

Why did this minister not stand in her place and tell this Legislature that Project 80 was taking a look into this

program? Why did you not stand here and tell us that Project 80 was investigating the embezzlement, the tendering irregularities and the criminal wrongdoing? Why is it you could not have stood and told this Legislature about those things? Those are important announcements that need to be made as well.

No, what we have is a Band-Aid on a bullet wound. We've got an auditing firm going in and looking at some concerns with respect to reporting functions and some concerns with respect to the operation of the MTHA.

I don't know what this minister is saying when she says, "The MTHA has been operating like this for a number of years." When this party was in power, we didn't have concerns with respect to irregularities, tendering practices and those kinds of things. This came to light with you in power.

Interjections.

The Speaker: Order.

Mr Stockwell: We didn't have audited statements about Houselink. We didn't have concerns about spending money inappropriately. When will you accept the fact that you are the government? You should deal with this issue, and we say the police should be called in and the concern should be rectified.

1410

ORAL QUESTIONS

MINISTERS' COMMENTS

Mr Sean G. Conway (Renfrew North): My first question is to the Minister of Finance. Minister, last week your colleague the Minister of Economic Development and Trade, in quite an expansive interview with the Toronto Star, indicated that your government was at work on a detailed action plan in the event that Ontario businesses, particularly, would be confronted with doing business in a sovereign Quebec. The minister indicated in that interview that she was at work on this detailed action plan in the event that Quebec should separate from the Canadian federation and that she was working on that plan with her colleagues Premier Rae and Finance Minister Laughren.

Three weeks ago, you told the Ottawa Citizen editorial board—and I say this very seriously because your colleague, in my view, has committed a very serious mistake. On Saturday of this past weekend the Ottawa Citizen reminded its readers that three weeks before Ms Lankin's comments to the Star, Ontario's Finance Minister Laughren said—let me quote from a part of the Ottawa Citizen editorial of Saturday, May 28, 1994.

"Three weeks ago, Finance Minister Floyd Laughren told the Citizen editorial board that formal government planning for Quebec separation would be"—quoting you directly—"very foolish." Noting that even studying the matter is to concede to the eventuality, Laughren said Ontario would only examine the prospect in earnest if the Parti québécois wins the election and proceeds with a referendum on separation."

My question to you, Minister of Finance, is, who speaks for the government of Ontario? Were you speaking on behalf of the government when you told the Ottawa Citizen editorial board what it reported in its

pages of last Saturday or was Ms Lankin speaking for your government when she said what she was reported to have said to the Toronto Star last Thursday and Friday?

Hon Floyd Laughren (Minister of Finance): Yes, I did indeed—

Mr Gregory S. Sorbara (York Centre): Don't you guys ever talk to one another about what the policy of the government is?

Mr Donald Abel (Wentworth North): Where's your leader, Greg?

Mr Sorbara: Where's yours?

Sorry, I didn't mean to interrupt you.

Hon Mr Laughren: I understand. The member for York Centre knows a lot about government disarray from when he was there himself.

Mr Sorbara: Good comeback, Floyd. Now answer the question.

Hon Mr Laughren: If you'll stop yapping, I will try to answer the question.

I too read the article in one of the Toronto tabloids—I think it was the Toronto Star; I think you're correct—in which the minister was quoted as saying certain things. I of course was not present at the interview and I don't know to what extent the article reflected the actual interview; I have no way of knowing that.

I simply wanted to assure the member for Renfrew North that we are not interested in speculating on an event that may or may not happen. For heaven's sake, there has not yet been even a provincial election in Quebec, so I certainly am not part of any team to look into any eventuality that might flow as a result of that provincial election.

Mr Conway: A supplementary on a very serious and delicate question: The Minister of Economic Development was quite clear in her quotes in the Star article. She is quoted directly as talking about a detailed action plan. She goes on at some length indicating that she, her Premier and her Finance minister are working on a detailed plan in the event that Quebec should secede from the Canadian federation. The article couldn't be clearer.

Is the Treasurer, on behalf of his government, not concerned that the only people cheering these ill-considered, untimely and inappropriate words from his colleague the Minister of Economic Development are the Parti québécois in Quebec, who are saying these days that Ms Lankin is a breath of fresh air? They're telling their compatriots in Quebec, "See, Ms Lankin indicates that all the other federalist rhetoric is to be ignored."

Does the Minister of Finance for Ontario not worry that the only people cheering Ms Lankin's—

The Speaker (Hon David Warner): Would the member complete his question, please.

Mr Conway: Is the Minister of Finance not concerned that the only people cheering Ms Lankin's comments of last week are the Parti québécois in our neighbouring province?

Hon Mr Laughren: I think before we get carried away with just how much was involved in this particular issue, I seem to recall that Minister Lankin issued a

statement of clarification following the day that article was published in which she indicated that that was not the intention she wished to convey and that she regretted if that was indeed the case. I believe the member for Renfrew North is putting too much credence into the way in which the story was written and conveyed.

I would simply say to the member for Renfrew North that we are not anticipating the separation of Quebec. We would hardly be doing that. It would be so highly speculative as certainly to be counterproductive at this time.

Mr Conway: The Minister of Economic Development made a serious mistake. Her comments were inappropriate, unhelpful and very untimely. I want to be clear in my final supplementary—

Hon Mike Farnan (Minister without Portfolio in Education and Training): You are ignoring—

The Speaker: Order.

Mr Conway: I have the minister's reported remarks in my hand and I read from the direct quotes.

Interjection.

The Speaker: Would the member for Cambridge please come to order.

Mr Conway: As a final supplementary, let me say to the Minister of Finance that I believe the people of Ontario wholeheartedly support the views that he, Floyd Laughren, articulated to the Ottawa Citizen editorial board. It is my view, and certainly the view of my colleagues, that the Finance minister for this province was absolutely on the mark when he said what he was quoted as having said to the Ottawa Citizen editorial board some two or three weeks ago.

My question to the Finance minister is simply this: Will he give the Legislature and the people of Ontario this undertaking, that his view, his approach, his attitude is the one that will characterize the approach of the Ontario New Democratic government and that we will hear no more of the kind of inappropriate and unhelpful comments that were offered on behalf of his government by his colleague the mistaken Minister of Economic Development?

Hon Mr Laughren: I would have thought that the statement of clarification issued by the Minister of Economic Development and Trade would have provided some reassurance to the member for Renfrew North. I know that as a member of the Liberal caucus, he regards writing in the Toronto Star as gospel. However, I think it would be perhaps more prudent to take into consideration not just the story but also the statement of clarification that was issued by the Minister of Economic Development and Trade.

The Speaker: New question.

Mr Conway: She said what she said, and she can't retract that you were working on a detailed action plan.

The Speaker: Does the member have a second question?

ONTARIO HYDRO PROJECTS

Mr Sean G. Conway (Renfrew North): A second question, to the Minister of Environment and Energy, responsible as he is for Ontario Hydro, and it concerns

the foreign policy of Chairman Maurice Strong at Ontario Hydro.

About the foreign policy of Chairman Strong, there have been a number of questions in this Legislature and across the province with respect to one particular initiative outside of the country, a potential purchase of part of the rain forest in Costa Rica.

My question, though, today to the minister responsible for Ontario Hydro is simply this: Can the minister confirm that in fact Ontario Hydro is looking at a total of 18 projects, one of which is the Costa Rican rain forest project? Can the minister confirm that in fact Ontario Hydro is looking at 18 potential international projects?

Hon Bud Wildman (Minister of Environment and Energy): The member is well aware, since a briefing was arranged for him by Ontario Hydro, that Ontario Hydro commissioned a study on sustainable development, and one of the recommendations of that consultant's report was that Ontario Hydro evaluate I believe 16 international projects related to environmental protection, and that that's where it's at.

There was a consultant's report brought forward, and the officials at Ontario Hydro are studying the sustainable development report. No decisions have been made and there has not as yet been any discussion of the detail of the projects by the Ontario Hydro board.

1420

Mr Conway: Supplementary to the minister: I really don't care a great deal about what the consultants are up to and what the international lawyers are up to. I'm really interested to know what the minister knows, because this is a new government, this is a new Hydro, this is a new day.

I have received in the break period a list from Hydro. I'm sure the minister has the same list because it was copied to him. This list indicates that there are 18 projects that are potential projects for this new Ontario Hydro. I'm just going to cite a couple of these potential international projects.

We have a sustainable agricultural project somewhere in South America, we have the potential of creating a forest somewhere on the Russian steppes, we have a potential reforestation project somewhere in eastern Washington state, we have the possibility of a forest preservation project using managed fire suppression in an unidentified North American country, and the list goes on.

My question to the minister is simply this: Has he had an opportunity to look carefully at this list? Can he give us any indication as to how far advanced some of these particular projects are and whether or not any Ontario Hydro money has been invested in any of these projects at this point?

Hon Mr Wildman: The member was correct in identifying these as potential projects, not as projects. Yes, I have reviewed the list and I believe that Ontario Hydro management is reviewing the list. Most of them are matters related to the problem of global warming and greenhouse gases.

As the member will know, corporations throughout the world and utilities around the world, not just Ontario

Hydro, are concerned about CO₂ emissions and how we should ensure that we deal with the question of global warming. These are simply proposals that have not gone forward and to my knowledge have not entailed any significant investments by Ontario Hydro.

Mr Conway: It is a very interesting list and it bespeaks a very creative foreign policy by our provincial electrical utility. Inquiring minds in Scarborough, in Northumberland, in Nickel Belt and certainly in Algoma will want to know, for example, what benefits will accrue to the Ontario utility from a forest preservation project.

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): Ask Jim Bradley.

Mr Conway: I repeat, if I can just have the attention of my colleagues, because this is a utility with a \$35-billion debt, and inquiring minds are going to want to know why, for example, at this juncture—

Interjections.

Mr Conway: Can you restrain them?

The Speaker (Hon David Warner): Order. The member for Renfrew North.

Mr Conway: Inquiring minds across Ontario will want to know what domestic benefits there will be to Ontario Hydro ratepayers and Ontario taxpayers from, for example, a coal-bed methane capture somewhere in Central America, or what benefits will accrue from a plantation forestry for indigenous land owners in an unidentified OECD country.

The Speaker: Could the member place a question, please.

Mr Conway: Minister, you're responsible. Given all of the domestic pressures that face the Ontario utility at the moment, can you indicate whether or not you have asked for a briefing from Chairman Mo on exactly how far he intends to go with this foreign policy, particularly at Ontario Hydro International?

Hon Mr Wildman: Surely the member knows enough about the environment to know there is domestic benefit to all of us as human beings if we deal with global warming.

Surely he also understands that to have a proposal made on sustainable development which has not been considered by the board but which sets forward a number of proposals for dealing with greenhouse gas emissions is something that we all should be concerned about, in Canada, North America and around the world. We should all be contributing what we can to assisting with the whole question of global warming.

LABOUR LEGISLATION

Mrs Elizabeth Witmer (Waterloo North): My question is for the Minister of Labour. As you know, the full impact of Bill 40 is slowly being felt. You are no doubt aware of the controversy that has been sparked by the letter which was sent by the members of Local 112 of the CAW, who are currently engaged in strike action against their employer, Toromont, offering Toromont's customers cut-rate service during the labour dispute.

As you know, under Bill 40 employers are forbidden to use replacement workers to do the work of striking

employees during a labour dispute, yet apparently unions are under no prohibition. Indeed, in this scenario it appears the union has become an employer.

Do you not agree that it is unfair for a striking union to offer replacement workers to its employer's customers during a strike, and can you explain why the labour laws that you have enacted allow for this injustice?

Hon Bob Mackenzie (Minister of Labour): The labour legislation that was passed by this government, Bill 40, has been remarkably successful to date. It has resulted in additional workers being organized in the province of Ontario. It has also resulted in faster settlement of disputes. It has resulted in workers, for example, who normally would be out of work for a year or two years if they tried to organize a plant being back within 48 hours. I think the general consensus is that the legislation has not been, as the member across the way says, a failure, but has been a success in the province of Ontario.

Mrs Witmer: Mr Minister, you have failed to answer the question I asked because you don't know, and I will tell you again: The full impact of Bill 40 is slowly being felt, and we all know we're not going to see the full impact until all existing collective agreements expire and are renegotiated.

I ask you again to address the question. Recognize that Bill 40 did destroy the delicate balance between the rights of unions and the rights of employees and employers. In fact, that's why our party is committed to repealing Bill 40.

You deny that your law is biased towards unions, yet today I've given you a clear example of how one-sided your legislation is. Either your labour laws don't allow this action of the CAW, in which case you must take action to prosecute the union, or if they do, you must introduce legislation amending the Labour Relations Act to prevent such abuses.

Which is it? Will you prosecute the union, or will you amend the law?

Hon Mr Mackenzie: I'm surprised the member across the way would say there has been an imbalance as a result of the legislation. What the legislation has done is simply made it apparent that we now have a balanced labour law in the province of Ontario.

Mrs Witmer: Minister, you are still not responding to the question because obviously you don't know the answer.

Your Bill 40 created this injustice. The fact is that if you allow CAW Local 112 to get away with this, unions across this province in the future are going to be able to hold their employers to ransom, because they can undercut them and undermine them during a labour dispute.

Hon Mike Farnan (Minister without Portfolio in Education and Training): You are going to undermine workers.

The Speaker (Hon David Warner): The member for Cambridge is out of order.

Mrs Witmer: If you allow the union to continue this practice, you are giving unions the ability to continue to work and to make money during a labour dispute, a right which you are denying to their employers.

Interjection.

The Speaker: I ask the member for Cambridge to come to order.

1430

Mrs Witmer: Getting back to the Toromont situation, which is of importance to people in this province because of the negative impact that's being felt by Bill 40 each day, I want to remind you that two employers were hauled on the carpet by the Ontario Labour Relations Board for the illegal use of replacement workers. It's obvious that your ministry is interested in intervening against employers. I ask you again—one more time you have a chance to answer the question—what have you done to discourage other unions from copying CAW Local 112's actions? What are you going to do to restore balance in this province in the area of labour-management relations?

Hon Mr Mackenzie: What we've done with the legislation is bring balance that didn't exist before in Ontario in terms of labour relations. I am absolutely certain that the responsible people, both the local and the company involved, will work out the details there.

I might point out to the member across the way that while she is raising a question here in terms of the work that's being done, workers have always had the right to go and get a job while they were on strike if they should so desire.

LEGAL AID

Mr Michael D. Harris (Nipissing): My question is to the Attorney General. Ontario's legal aid bill has doubled in the past five years, to \$260 million annually. The majority of that tab is picked up by the taxpayers of Ontario through your ministry. As the minister responsible for legal aid in Ontario, do you believe it is appropriate for Ontario taxpayers, who have already in many cases paid for legal defences and appeals, to also foot the bill for convicted criminals to fight deportation orders? Do you think that's fair?

Hon Marion Boyd (Attorney General): I believe I've answered the third party on this issue before. We are required under the Legal Aid Act to provide the coverage that is agreed to by the Ontario legal aid plan. The Ministry of the Attorney General is a partner in that with the Law Society of Upper Canada, and every single issue that comes up needs to be agreed upon by the legal aid plan committee and then confirmed by the Law Society of Upper Canada.

All issues involved with legal aid are currently under review because of the real financial crunch the plan finds itself in, and the Ontario legal aid plan is looking at all the current areas of eligibility. I would say to the member that it would be inappropriate for me to try to influence in any way the decision of that group, which is seriously considering a whole series of measures, by making a statement on one piece or another.

Mr Harris: I didn't ask you for an opinion on one case or another. You represent the taxpayers paying the lion's share of this, and not only is it appropriate for you to give your opinion, it is inappropriate for you not to give your opinion while it's under review. This is abso-

lute nonsense, as you are the one charged with reporting to the taxpayers on \$260 million.

According to an article in the Toronto Sun yesterday, a man convicted of murdering his wife is using legal aid to fight his deportation order. The article also cites six other deportation cases which are being heard inside penal institutions because the prisoners are too dangerous to be transported to courthouses for the hearings.

If legal aid costs continue to escalate, we won't be able to offer assistance to those who legitimately need access to the system but cannot afford it. I am asking you, do you agree with a system that funds deportation orders, after we've already funded defences for convicted murderers? If you do not agree with it in general, not specific cases, will you stand in this House today and say so and give direction to that review committee that's reviewing legal aid?

Hon Mrs Boyd: No, I will not, because if I were to do so, both opposition parties would probably accuse me of trying to influence unduly the decision of the group that is at arm's length from the Ministry of the Attorney General and which has been charged with making these decisions.

Mr Harris: I did not ask you to comment on the individual cases. You tell me it's under review. Where is the Ontario taxpayer represented in this review, since we fund the lion's share? Let me, without hesitation, in the Legislature and outside, serve notice that should I be in charge a year from now, we will change legal aid and we will not pay for convicted killers to fight deportation orders. We will insist on those changes, because we're paying the lion's share.

Let me ask you as well about an issue I raised last week concerning legal aid and dealing with the Young Offenders Act, which is currently under review. We would like your opinion, the government's opinion—

Interjections.

The Speaker (Hon David Warner): Order, the member for Sarnia.

Mr Harris: —on whether legal aid should be funding 16- and 17-year-olds whose parents can well afford to pay, using the same criteria everybody else has to use when they apply for legal aid. Do you agree that taxpayers should be funding those cases, and if not, will you today speak up to the federal government, which is reviewing the Young Offenders Act?

Hon Mrs Boyd: We have certainly raised the issue of amending the Young Offenders Act to permit the Ontario legal aid plan to apply its eligibility fully.

The current Young Offenders Act, under section 11, talks about the right of young offenders to have legal opinions, and subsection 11(8) is very important for people to keep in mind:

"In any case where it appears to a youth court judge or a justice that the interests of the young person and his parents are in conflict or that it would be in the best interest of the young person to be represented by his own counsel, the judge or the justice may ensure that the young person is represented by counsel independent of his parents."

We would want to see a situation where a young person's eligibility for legal assistance would not be coloured by the willingness of his or her parents to support where there is a conflict of interest, because that would be contrary to the young person's rights. But what we are saying is that yes, as part of the year-long review, which we support, that the federal government is going through, we do want a look at how legal aid applies to young offenders.

EMERGENCY SERVICES

Mr Murray J. Elston (Bruce): To the Minister of Health: On April 6, April 12, and May 18, we have asked you several times why you have been unable to assist small community hospitals to meet the needs of staffing for emergency departments. You keep talking and talking about committees and task forces and other things.

I want the Minister of Health to tell us all, now that we have a resolution from the meeting of the association of small hospitals, now that we have a letter from the Ontario Medical Association saying it wants to come together without reservation, without precondition, to discuss this issue, first, what has she been doing up till now, as they weren't meeting with her, and second, what does she now plan to do so that those people in outlying areas in this province can have good, high-quality, well-attended emergency rooms?

Hon Ruth Grier (Minister of Health): As I've said in the House many times, this is a long-standing issue and one that we believe needs to be addressed. As part of our negotiations with the Ontario Medical Association last year, we did address it. We addressed it by setting up a committee of the OMA, the ministry and the Ontario Hospital Association.

As I have also said to the House, I profoundly regretted when last February the Ontario Medical Association withdrew from that committee. I'm delighted today to be able to share with the House that the member for Bruce is correct: The Ontario Medical Association has agreed to come back to those discussions. I have accepted and welcomed that return, and I look forward to continuing those discussions just as soon as a meeting of the tripartite committee can be convened.

1440

Mr Elston: The reason I asked the question is not to congratulate her reconvening a meeting, because she told this House on several occasions that the meetings were coming to a successful conclusion and that there would be a solution in place. Since she has told us that, we've had more problems in Red Lake, we've had problems in Exeter, we've had problems in Wingham and Goderich. They are spreading to Kincardine and Hanover like a cancer spreading across this province. The emergency rooms are under terrible circumstances and we are losing physicians to staff the theatres of emergency care in our areas.

I want this minister to guarantee us today that there will not be any more problems in emergency room staffing in the province of Ontario, because she will make sure that she picks up her responsibility and makes it a fact of life that high-quality care will be available in our emergency rooms.

Hon Mrs Grier: The member asks me to pick up my responsibilities. His definition of that is picking up the complete tab, which is what his government was able to do in the 1980s.

Our government negotiated an agreement with the Ontario Medical Association to pay the doctors of this province \$3.8 billion a year for the 20,000 physicians of this province.

Interjection.

The Speaker (Hon David Warner): Order, the member for Halton Centre.

Hon Mrs Grier: Within that, there is an imbalance in what is paid in an emergency room to what is paid elsewhere, because not enough people go to the emergency rooms in small hospitals to make it worth the while of doctors who are paid on a fee-for-service basis to be there.

This is an argument about money. I am now delighted that the Ontario Medical Association is prepared to come back and discuss how we can better distribute parts of that \$3.8 billion so that doctors will be compensated for being on standby and being in emergency rooms.

Let me further say to the member, in response to one of the comments in his preamble, that I'm delighted that the doctors in Red Lake have agreed to resume their services while our discussions continue. We are solving the problem.

ONTARIO'S CREDIT RATING

Mr Michael D. Harris (Nipissing): My question is to the Minister of Finance. On May 10, the Minister of Economic Development and Trade in your absence said: "If there is a downgrade in the credit rating, there are additional costs in the costs of interest that are attached to that. I'm sure that Finance has the numbers...." This was your Minister of Economic Development who said that, Treasurer.

As your colleague says you know the answer, can you tell me in this House exactly how much last Friday's downgrade by Moody's, on top of the three previous ones, will cost Ontario taxpayers?

Hon Floyd Laughren (Minister of Finance): There is no question that as a jurisdiction moves from an AAA credit rating down to an AA or an AA- or whatever level it moves down to—

Mr Murray J. Elston (Bruce): Who cares?

Hon Mr Laughren: The Liberals may not care. I do care very much about the level of prosperity.

The amount a jurisdiction pays for its credit goes up as the credit rating drops. There's no question about that, in my view. What is much more difficult to be specific about is that in a situation such as we were faced with in the last couple of weeks, where Moody's simply dropped its credit rating down to the level the other major bond rating agency was at, it is felt by our Finance officials that basically that level of rating was already built into the amount at which people will buy Ontario bonds. So it's my sense that that specific downgrade by Moody's, joining Standard and Poor's at that level, did not have a measurable effect on the cost of borrowing.

Mr Harris: Minister, you've had four downgrades in four years. The Fraser Institute lists Ontario's debt-to-GDP ratio among the 64 worst in the world, somewhere between Burundi and Morocco. The Toronto-Dominion Bank estimated last week that Ontario's per capita deficit is \$804, the highest in Canada. Something is wrong.

Part of what is wrong is that for every dollar you grab in revenue—and that is substantial after 63 tax hikes over the last 10 years—you spend \$1.20. You just tabled a budget that calls for an increase of \$25 billion in new debt over the next three years. Can you explain, when the consequences are so devastating, why you didn't tackle spending in your recent budget?

Hon Mr Laughren: I would part company with the last comment made by the leader of the third party. I would remind him that for the last two years this government cut program spending, for the first time in over 50 years in this province, something you never did, something your predecessors never did when the Tories were in power for 42 years.

Interjections.

The Speaker (Hon David Warner): Order.

Hon Mr Laughren: I apologize if the facts make the leader defensive about his own record, but those are simply the facts. The facts are that you never reduced program spending in the 42 years your government was in office.

Second, I would remind the leader of the third party that this government has worked extremely hard to find the appropriate balance between getting the deficit going down and maintaining the essential services of this province, which I know you would not maintain—you've already promised to slash them—and at the same time getting Ontario on a sound financial footing.

SALE OF LAND

Mr Pat Hayes (Essex-Kent): My question is to the Minister of Transportation. Minister, the township of Howard has some serious concerns with regard to land sales by your ministry. Some years ago your ministry purchased parcels of agricultural land in my riding for the purpose of road construction. However, that land was not used for roads and is now being offered for sale back to the township, which of course is not an unusual situation.

But what I and the council of Howard do consider unusual is the price being asked for these parcels of land. The township of Howard had several parcels of land appraised in order to make a fair offer to the ministry. A particular parcel was appraised at \$2,500. The ministry is asking \$11,000. Can you tell me and the township of Howard why your ministry would ask \$11,000 for a piece of land that has been appraised as worth \$2,500?

Hon Gilles Pouliot (Minister of Transportation): I thank the member for sharing in the concern of the township of Howard in his constituency. We have a mandate at Transportation to dispose of surplus land at market value. Simply put, the township of Howard hires an appraiser who says that this specific parcel of land is worth \$2,500. The Ministry of Transportation also has appraisers. Our appraiser says it's worth \$11,000. There is a discrepancy between \$11,000 and \$2,500.

What we factor in is the possibility of housing on the specific piece of land. That's why there is the discrepancy. We would be only willing and happy to avail ourselves of the opportunity to explain our practices to the township of Howard.

1450

Mr Hayes: Mr Minister, there are several other parcels of land in my riding, specifically, agricultural lands along the 401, originally purchased by your ministry. These parcels have been divided into smaller parcels and now are being offered for sale for housing and other purposes, even though this is completely against Howard township's zoning and official plan provisions.

This appears to be a case of big government buying large land lots for future development, not requiring the land and so dividing it and selling it back to the township as smaller lots, thereby making a much greater financial return on their original investment.

Minister, can you tell us what is the truth behind this issue?

Hon Mr Pouliot: I can assure the honourable member that this government—

Mr Chris Stockwell (Etobicoke West): I know what that's called: million-dollar jacket.

The Speaker (Hon David Warner): Order, the member for Etobicoke West.

Hon Mr Pouliot: —has no intention of taking advantage in any way of small municipalities. We intend to conduct our practice in accordance with municipal and provincial regulations, no more, no less than that. We've been consistent and most reasonable.

Again, by way of conclusion, we will invite the township of Howard to meet with our officials to seek and find a middle ground that will be satisfactory to both the municipality and the province of Ontario.

FERRY SERVICE FEES

Mr Hugh O'Neil (Quinte): My question is also to the Minister of Transportation, and it's another case where he has taken advantage of some people, in eastern Ontario.

Minister, last Friday the people of Wolfe Island won their court case against the NDP plans to impose new ferry service fees. The judge ruled that the NDP has no legislative authority to implement fees under the Public Transportation and Highway Improvement Act. We have been telling the minister for months that these fees do not make economic sense. Now the courts have said that these fees are indeed illegal.

In my area, the Ministry of Transportation was intending to begin collecting fares on the Glenora ferry service this Wednesday. Given the court ruling, does the minister still intend to collect fares starting in June on the Glenora ferry services and the Wolfe Island ferry?

Hon Gilles Pouliot (Minister of Transportation): I have been advised by counsel that we are seeking leave to appeal the decision. Regarding the June 1—

Mr Gregory S. Sorbara (York Centre): You're supposed to advise counsel.

The Speaker (Hon David Warner): The member for York Centre, come to order.

Interjection.

The Speaker: I ask the member for York Centre to come to order.

Hon Mr Pouliot: The member for York Centre has a tendency to go into some sort of pique which is unbecoming of decorum and good manners in this House.

But back to the question, more importantly indeed, the June 1 decision vis-à-vis ferry fees at both Glenora and Wolfe Island are under review.

Mr O'Neil: Might I tell the minister, first of all, that the local residents in Glenora and Wolfe Island have documented how the government's plans for new fees for the local ferry service will hurt local businesses, will cost jobs and then lower the province's income tax and sales tax revenues. Also, you're aware that so far the NDP has spent approximately \$80,000 on new ticket machines for the Glenora ferry, and I might mention to you, Minister, that we're told that these machines are not accessible to the physically handicapped. Now the NDP government plans to spend thousands of dollars more in court costs to fight the court's ruling.

Minister, you were warned back in the fall, when your NDP member asked for a review of this decision and was told by the Legislative advisory people that these fees were not constitutionally or legally right, and still you went ahead with them.

Minister, will you give us a commitment today that you will not proceed with these fees until a proper economic study is done as to the effects these fees will cause?

Hon Mr Pouliot: The member is correct in voicing his concern re the physically challenged people who have some difficulties and are seeking accessibility. You know what our track record is. To some extent, it's a continuation of what previous governments have started: the Conservatives, the Liberals and now ourselves. I think collectively we've done better than previous years. There's a certain evolution.

Back to the fees: We respect the decision of the court. We will appeal the decision. In the meantime, Glenora and Wolfe Island will not be the recipient of a fee introduction as previously planned; no fee starting June 1.

AGRICULTURAL LABOUR POLICY

Mr Noble Villeneuve (S-D-G & East Grenville): To the Minister of Labour, today we continue the second reading of Bill 91, which effectively will promote the unionization of family farms.

The preamble of this legislation reads as follows: "It is in the public interest to extend collective bargaining rights to employees and employers in the agriculture and horticulture industries." Everyone in agriculture and horticulture whom I've spoken to since Bill 91 came in is opposed to this bill. They do not see the need.

Can the minister tell the House who within agriculture requested this Bill 91, and if no one did, are you prepared to withdraw it today?

Hon Bob Mackenzie (Minister of Labour): The member knows, I'm sure, that there has been as much consultation on this piece of legislation as just about

anything in this House. He also knows that there has been an approval by both labour and farm groups in terms of the legislation, that a consensus was reached, and it is the consensus and the amendments that are before the House. And no, I will not withdraw the bill.

Mr Villeneuve: That's certainly not the message I get. I live out in rural Ontario and I speak to a lot of farmers and people involved, and that is not the message I'm getting. Unlike the Liberals, who are voting against the bill but still consider this as something that can be improved in this bill, we do not see any need for this bill. There are numerous amendments to this point, amendments where it changes the overall direction of the bill and changes the real intent of the bill.

Can the minister explain why his government thinks the Ministry of Labour is more familiar with farm operations than the Ministry of Agriculture, and if indeed he's going to push it through, is he prepared to turn it over to his colleague the Minister of Agriculture, Food and Rural Affairs?

Hon Mr Mackenzie: We never said we were more aware of issues than the Minister of Agriculture, but I can tell him the legislation is labour legislation and it will remain with the Ministry of Labour.

HOSPITAL SERVICES

Mrs Ellen MacKinnon (Lambton): My question today is directed to the Minister of Health.

As we all know, health care in this province is a serious priority for the people of Ontario. Most people understand the government's position on financial restraint and reorganization of the moneys allotted to hospitals. It is when the individual hospitals, with their reduced allocations, direct cost-savings measures at the expense of already overworked nursing staff that the patients become acutely distressed.

Madam Minister, are there directives to the hospitals that address where the cuts are made, and can you inform us how the hospital boards work together with both uniformed staff and non-uniformed staff to ensure the hospitals are adequately staffed and the patients' needs are being met first?

Hon Ruth Grier (Minister of Health): Let me say to the member that, no, there are not directives to hospitals that say where cuts in their spending or changes are to be made, but there are directives that indicate how those changes are to be made, and that means in a much more open and consultative way than has ever been done in the past.

I'm very impressed by the way hospitals across the province, especially those in the member's riding, have responded to the need for restructuring over the past three years. They've changed the way in which they operate and have become much more cost-effective while still maintaining high-quality services to their patients and treating more patients than they had in the past.

They've also set up, as part of their planning for their operating budgets, a way in which they do involve the staff, the uniformed and non-uniformed, as the member characterizes them, in their discussions. We believe that's very important.

I met with a couple of hospitals just last Friday where there were representatives from the Ontario Nurses' Association and all the unions in that hospital as well as representatives of the board, meeting with me to talk about what was happening in their particular hospital. We believe that is the way to go, and as those operating budgets are developed, they are reviewed by the district health council and by the ministry so that we have the final say as to whether the changes have been appropriate ones.

1500

HOSPITAL FINANCING

Mr James J. Bradley (St Catharines): I have a question as well for the Minister of Health. It's about diabetic care in the city of St Catharines and the Niagara district as a whole.

The member visited the Niagara Peninsula on Friday and would be aware from that visit that at Hotel Dieu Hospital in St Catharines there's a diabetes education centre, some work being done for diabetics, but there's also a problem. There's a very long waiting list to receive services for diabetics in our area. The centre, which is now connected with Hotel Dieu Hospital, was originally designed to service some 500 patients throughout the Niagara Peninsula. Today it deals with more than 3,500 and hasn't received an extra cent in funding from Queen's Park.

Would the minister inform the House today whether or not she is now prepared to fund, from the allocation which has been provided to her ministry by the Treasurer, this particular project which would be beneficial to all diabetes patients in the Niagara Peninsula?

Hon Ruth Grier (Minister of Health): Let me say to the member for St Catharines that I indeed had a very interesting and instructive day on Friday in the Niagara Peninsula with my colleagues on this side of the House. I regret that the member was unable to join us. I had understood that he would be with us at the meeting of the district health council.

I had the opportunity to view the renovations that are under way in Hotel Dieu in St Catharines, funded recently by my government. I certainly recognize the expanding need for dialysis that reflects, in part because of the increasing incidence of diabetes, which sometimes leads to kidney failure.

With respect to the specifics of the program that the member raises, let me assure him that I have great confidence in the district health council in the Niagara region, one of the oldest district health councils in this province and one that has been operating with a great deal of volunteer and community support for many years. As they plan for the future of health care services in the peninsula, should they indicate the desirability and the need for the expansion that he outlines, I will certainly look at that very carefully.

Mr Bradley: I will take advantage of the supplementary to mention to the Minister of Health that the reason I did not attend the meeting was because I wasn't invited to the meeting. Even though I was shown a list of names that said I was on the invited list—one of your members

showed it to me at noon that day; he was kind enough to do so—I was not invited to the meeting. Anyway, be that as it may, my colleagues from the peninsula will tell me all about it; they're very cooperative that way.

There is mounting evidence, according to Tanya Nixon, who is the branch coordinator for the local chapter of the Canadian Diabetes Association, that early treatment of diabetes slashes the rate of complications significantly. One of the reasons that people in our part of the province would like this to be funded as soon as possible from within your allocation is because of the complications, which can be blindness, heart and vascular disease and kidney disorders.

Would the minister give an assurance that now that the Niagara District Health Council has certainly looked favourably upon this, now that everybody appears to be moving, you will announce in the very near future the necessary funding so that diabetics in our part of the province will be able to receive appropriate service and so that we can avoid some of the longer-term complications which would be more costly to the personal lives of those people and more costly to the health care system in this province?

Hon Mrs Grier: Let me start by saying that I'm sure the district health council would want me to express regrets that the member had been unaware of the fact that I was meeting with it. I know of his involvement with them in the past and of their support for him. I can assure him that no slight was intended in what I'm was sure an oversight. But with respect to any announcement for funding that affects the member's riding, let me assure him that when any decisions are made I will make sure that there is no second oversight and that he is one of the first to be informed.

HIGHWAY TOLLS

Mr Norman W. Sterling (Carleton): I have a question for the Minister of Transportation. Mr Minister, the people of eastern Ontario are glad that Highway 416 is back on the track. There is, however, speculation by this minister and other people that tolls will be placed on the new 416, as they are on the 407.

I would like to point out to the minister that there's a significant difference in that 407 parallels another provincial highway, 401, and people have a choice of taking a toll road or they have a choice of taking 401. People who now use 16 will be in a position of having to travel back country roads and wind their way up from Prescott near the 401 to the city of Ottawa.

Will the minister tell this House if it is his intention to put tolls on Highway 416 and what alternative route will be available to Ontarians who now use Highway 16?

Hon Gilles Pouliot (Minister of Transportation): In terms of alternatives or alternative routes, you have Highway 15, but it's not four-lane. The member is quite right that it doesn't parallel the 401, so when he talked about tolling, as we are doing with the 407, to relieve the pressure, you don't have, clearly, the same alternative in Ottawa.

We're optimistic that we can have shovel in the ground in the fall. There are no secrets here. You're talking

about \$180 million for the southern section of Highway 416. You're talking about 6,000 jobs. You're talking about a new partnership which is the federal government with the equivalent of \$60 million, which is one third. We can't find \$120 million overnight. It simply cannot be done.

What we would do, in answer to the question, is to look at the innovation of a transportation capital corporation, perhaps give consideration to tolling for a short while until the \$120-million responsibility has been paid back from the corporation to the lenders. We believe it can be done. We believe it shall be done. Six thousand jobs, with shovel in the ground, if all goes well, this fall at a reasonable cost.

Mr Sterling: Nice speech, but Highway 15 and Highway 16 are separated by some 100 kilometres. That's a great alternative for you to offer the people of eastern Ontario.

The people of eastern Ontario who, as provincial taxpayers, have paid their share of building and maintaining every other highway in Ontario, are waiting in anticipation and with some trepidation of what your stated intentions are here. The 416 was promised by this government, by previous governments before, and was taken off the books by the present government.

We look at beautiful highways like 115 and 35 going from the 401 to Peterborough, which is about the same length as 416, and that was to service about 100,000 to 150,000 people and some cottagers from Toronto, whereas Ottawa is the nation's capital with some 750,000 people in it.

Mr Minister, don't you think it's time for some consistent policy with regard to tolls on roads which do not parallel other existing provincial highways? It does not—

Hon Bud Wildman (Minister of Environment and Energy): What about Highway 31?

Mr Sterling: Highway 31 is—

The Speaker (Hon David Warner): Would the member complete his question, please.

Mr Noble Villeneuve (S-D-G & East Grenville): You'll be sorry you mentioned that one.

The Speaker: Order.

Mr Sterling: Obviously the member for Algoma hasn't been in Ottawa recently.

Eastern Ontarians are wondering why the government built highways like 115 and 35 at the expense of all Ontarians and now is asking eastern Ontarians to pay for 416. Do you think it is fair that some Ontarians have paid for all the highways and then are asked, as in eastern Ontario, to pay for their own local highways?

Hon Mr Pouliot: That's a very valid point. In my humble opinion, Highway 15 is not the same alternative as Highway 401 to 407. That point was made and it was repeated and well taken.

Second point: When the member asks if it is fair to ask people who depend on Highway 416 to pay a fee supplementary to the taxes that they pay, by way of tolls, let's put things into the right perspective. The province has

already spent \$75 million of taxpayers' money on Highway 416, the northern section. It keeps on spending. By 1996, two years from now, we will have spent an additional \$50 million. So we're up to \$125 million of taxpayers' money for the 416.

What we're suggesting here is accelerating the project. There are no secrets. We cannot on the one hand address the deficit—we have to pay the banker, so if you want the highway faster there are no secrets; there are no tales of Houdini—you need to find the money and the way you find the money is by borrowing the money over a longer period to reflect the life of the project. You do so through tolls for a short time and you do so through a capital corporation that is financially, fiscally responsible. We intend to proceed.

1510

VISITORS

The Speaker (Hon David Warner): I invite all members to join me in welcoming to our chamber this afternoon, and seated in the members' gallery west, Mr Ivan Tolj, member of Parliament for Croatia. He's accompanied by artists from the Croatian National Theatre. Welcome to Ontario, Canada.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon Brian A. Charlton (Government House Leader): I move that ballot item numbers 59 and 60 be considered in reverse order on Thursday, June 2, 1994.

The Speaker (Hon David Warner): Is it the pleasure of the House that the motion carry? Carried.

PETITIONS

TAX INCREASES

Mr Gregory S. Sorbara (York Centre): I have a petition here which reads as follows:

"To the Legislative Assembly:

"We, the undersigned residents of the city of Vaughan, who now avail themselves of their rights thus to present a grievance to your assembly, declare that we are overburdened with taxes. Consequently, we strongly protest against any new municipal and provincial tax increases. Instead of transferring costs to the municipalities, we urge the government to pressure the federal government to create and print the money of our country in accordance with section 91 of the Canadian Constitution (British North America Act, 1867)."

I agree with a portion of this petition, not the portion dealing with the printing of money, but notwithstanding that, I am signing and submitting this petition on behalf of my constituents.

FIREARMS SAFETY

Mr Leo Jordan (Lanark-Renfrew): "To the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms we have no desire to own;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

This is signed by a number of residents of my riding and I affix my signature.

SEXUAL ORIENTATION

Mr Peter North (Elgin): I have a petition here to the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas Canada was founded on Judeo-Christian principles which recognize the importance of marriage and family;

"Whereas the redefinition of marital status will extend to same-sex couples the rights and benefits of marriage;

"Whereas this redefinition will further increase the likelihood that children will learn to imitate homosexual practices;

"Whereas there is evidence that there will be negative financial, societal and medical implications and effects on the community with any increase in homosexual practices, the redefinition of spouse and family status, and policies concerning adoption of children by homosexuals;

"We request that the House refrain from passing any legislation that would alter or redefine marital status."

There are some 25 signatures on that.

TOBACCO PACKAGING

Mr Larry O'Connor (Durham-York): I've got a petition to the Legislative Assembly of Ontario in support of the plain packaging of tobacco products.

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly; and

"Whereas Bill 119 contains the provision that the government of Ontario reserves the right to regulate the labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces, rather than act on its own, to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national plain packaging strategy the most effective method of protecting the Canadian public;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

It's been signed by people from Unionville, Sharon, Churchill, Keswick, Newmarket, Mount Albert, Gilford and Lindsay, and I affix my name to this as well.

HEALTH INSURANCE

Mrs Barbara Sullivan (Halton Centre): I have a petition which reads as follows:

"Whereas the Ontario government has announced its intention to reduce emergency coverage for out-of-country health care on June 30, 1994;

"Whereas the citizens of Ontario are entitled to health coverage no matter where they are, with payment made on the basis of the amount that would be paid for a similar service in the province;

"Whereas the Canada Health Act entitles all Canadians to health care on an equal basis;

"Whereas this decision by the Minister of Health is in direct contravention of the Canada Health Act;

"We, the undersigned, petition the Legislature of Ontario to ensure the Minister of Health follow the provisions of the Canada Health Act and prevent further erosion of our health care system in Ontario."

I've affixed my name to this petition. I agree heartily with it and commend it to the members.

LONG-TERM CARE

Mrs Dianne Cunningham (London North): "To the Legislative Assembly of Ontario, Legislative Building, Queen's Park, Toronto, Ontario:

"Whereas the government of Ontario has stated that multiservice agencies, the new single, local point of access for long-term care and support services, must purchase 90% of their homemaking and professional services from not-for-profit providers, therefore virtually eliminating use of commercial providers;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We protest the action to drastically reduce the service provision by commercial providers and respectfully request that the impact of this policy decision, including a cost study, be performed before any further implementation."

These petitions were given to me at my office in London, Ontario, and they represent hundreds of signatures from all over Middlesex county, southwest Ontario and London. I have affixed my signature to it and certainly share their concerns.

HIGHWAY INTERCHANGE

Mrs Ellen MacKinnon (Lambton): I have a petition to the Legislative Assembly of Ontario. On behalf of the township of Warwick in my riding of Lambton county, I present the following petition.

"Whereas we have concerns as to fire and emergency service in the area;

"Whereas tourism would be better serviced by improved access to the conservation authority campground and local business in the area;

"We, the undersigned, petition the province of Ontario as follows:

"To install an interchange for access at Highway 402 and Highway 7."

I agree with this petition and will affix my signature to the same.

1520

KETTLE ISLAND BRIDGE

Mr Gilles E. Morin (Carleton East): This is from my constituents, sent to the Parliament of Ontario:

"Whereas the government of Ontario has representation on JACPAT (Joint Administrative Committee on Planning and Transportation for the National Capital Region); and

"Whereas JACPAT has received a consultants' report recommending a new bridge across the Ottawa River at Kettle Island which would link up to Highway 417, a provincial highway; and

"Whereas the city and regional councils of Ottawa, representing the wishes of citizens in the Ottawa region, have passed motions rejecting any new bridge within the city of Ottawa because such a bridge and its access roads would provide no benefits to Ottawa but would instead destroy existing neighbourhoods;

"We, the undersigned, petition the Parliament of Ontario as follows:

"To reject the designation of a new bridge corridor at Kettle Island or at any other location within the city of Ottawa core."

I will affix my signature to this petition.

JUNIOR KINDERGARTEN

Mr Gary Carr (Oakville South): Constituents from my riding of Oakville South have asked me to table a petition which reads as follows:

"To the Legislative Assembly of Ontario:"

Whereas the board of education and the parents in my riding have recommended that any implementation of junior kindergarten be put on hold; and

Whereas they object very strongly to the cost of this program and find it unacceptable and irresponsible that the government would force the board of education to find the space, the teachers and the funding for this; and

Whereas there are no funds to administer the present curriculum, and facilities for the students currently enrolled in the schools are strained; and

Whereas they suffer from overcrowded classrooms, sharing of textbooks, diminishing office staff resources and loss of valuable programs; and

Whereas to implement a junior kindergarten at this time is totally unrealistic: the total capital costs have been estimated at \$4.9 million and the operational cost per year would be in the neighbourhood of around \$8 million;

"We, the undersigned, demand the government not force junior kindergarten on the people who don't want it."

I've affixed my signature to that as well.

SEXUAL ORIENTATION

Mr Mike Cooper (Kitchener-Wilmot): I have petitions here from residents from Kitchener, Waterloo, St Agatha, Petersburg, Baden, New Hamburg, New Dundee and Wellesley to the Parliament of Ontario:

"Whereas we strongly believe that marriage is an important institution which is intended by the Creator to be a stable union between a man and a woman; and

"Whereas we also believe that supporting other types of unions threatens this plan,

"We, the undersigned, petition the Parliament of Ontario as follows:

"We strongly urge you to oppose any legislation which supports same-sex spousal benefits."

CASINO GAMBLING

Mr Monte Kwinter (Wilson Heights): I have a petition to the Legislative Assembly of Ontario:

"Whereas the issue of legalized casino gambling is a sensitive and controversial issue; and

"Whereas 'this government has said it will not put a casino anywhere there is not overwhelming support' (written statement by NDP MPP Margaret Harrington of Niagara Falls presented at the September 2, 1993, public hearings of the standing committee on finance and economic affairs regarding Bill 8); and

"Whereas we believe that the city council of Niagara Falls, Ontario, has not received a mandate to introduce casino gambling from the people of Niagara Falls at the last municipal election;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We, the undersigned, who are opposed to casino gambling, request that the Legislative Assembly of Ontario not allow the city of Niagara Falls to become a candidate for a gambling casino unless there is broad-based public support for such a facility, which we are requesting to be determined through a referendum vote by the citizens of Niagara Falls."

This is signed by 100 citizens of Niagara Falls. I've affixed my signature to it and I present it to the House.

FIREARMS SAFETY

Mr Noble Villeneuve (S-D-G & East Grenville): I have a petition signed by about 450 people from across the great riding of Stormont-Dundas-Glengarry and East Grenville. It was received on May 24 from the Ontario Federation of Anglers and Hunters, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should

not have to learn about classes of firearms that we have no desire to own;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I agree and I've signed the petition.

Mr Gordon Mills (Durham East): I have a petition from the local executive of the Ontario Federation of Anglers and Hunters in my riding of Durham East, and it says:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned"—and there is a large amount of names from my riding—"petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course and examination."

I affix my signature to that.

GAMBLING

Mr Tony Ruprecht (Parkdale): I have a petition to the Parliament of Ontario:

"Whereas the New Democratic Party government has traditionally had a commitment to family life and quality of life for all the citizens of Ontario; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the New Democratic Party government has had a historical concern for the poor, who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gambling casinos despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the people of Ontario;

"Therefore, we the undersigned petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish more gambling casinos by regulation and that

appropriate legislation be introduced into the assembly, along with a process which includes significant opportunities for public consultation and full public hearings as a means of allowing the citizens of Ontario to express themselves on this new and questionable initiative."

I have affixed my signature to this petition.

WRITTEN QUESTIONS

Mrs Barbara Sullivan (Halton Centre): Mr Speaker, once again I rise on a point of order with respect to clauses 97(a), (b), (c) and (d) of the standing orders of the House.

On March 22 I placed a written question to the Minister of Health, number 483, and on March 28 I placed a question, number 487, also to the Minister of Health.

Question 483 requests information with respect to the operation of the health card fraud line, including how many cases there were and so on, how many charges have been laid. We know that this material is available because some of it had been used by the minister in public statements. None the less, there has been no written response to the information, and we feel that it is extremely important in the debate.

On the second question, number 487, the minister indicated that an interim answer was tabled on April 18 and that the final information would be available on April 22. That question is related to the spending and promise of spending of \$647 million for long-term care. That information has not been forthcoming. The minister continues to discuss that in public but has provided none of the detailed information which was requested through written questions.

You will understand, Mr Speaker, that the written questions are matters that aren't of the emergency nature of the question period that we go through each day. None the less, the information that is included on the order paper is vital information in terms of dealing with the issues that face not only the House but the government and are important to the opposition. I urge you once again to look into the issues that I've raised on this and many other days.

The Speaker (Hon David Warner): The honourable member for Halton Centre indeed has a point of order. She has drawn it to the attention of the House, and of course the member will wish that the minister will comply with the response. The member will know that there are no sanctions when this particular order has not been followed.

1530

REPORTS BY COMMITTEES

STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Mr Hansen from the standing committee on the Legislative Assembly presented the committee's special report and moved the adoption of its recommendations.

The Speaker (Hon David Warner): Does the member wish to make a brief statement?

Mr Ron Hansen (Lincoln): Yes, just to let the audience out there know what the special report is. It has to do with the deferred votes that are taken in this House. Mr Speaker, it will give you direction now on deferred

votes taken the next day. I'd like to thank all the committee members for their input and the clerks and the Deputy Speaker for coming forward with ideas. It wasn't unanimously passed; there were two dissenting members on the committee.

I would like to move adjournment of the debate.

The Speaker: Mr Hansen moves adjournment of the debate. Is it the pleasure of the House that the motion carry? Carried.

INTRODUCTION OF BILLS

OAKTOWN PROPERTY MANAGEMENT LIMITED ACT, 1994

On motion by Ms Akande, the following bill was given first reading:

Bill Pr111, An Act to revive Oaktown Property Management Limited.

CITY OF OTTAWA ACT, 1994

On motion by Mr Grandmaître, the following bill was given first reading:

Bill Pr97, An Act respecting the City of Ottawa.

CITY OF OTTAWA ACT, 1994

On motion by Mr Grandmaître, the following bill was given first reading:

Bill Pr98, An Act respecting the City of Ottawa.

COUNTY OF VICTORIA ACT, 1994

On motion by Mr Hodgson, the following bill was given first reading:

Bill Pr106, An Act respecting the County of Victoria.

ORDERS OF THE DAY

AGRICULTURAL LABOUR RELATIONS ACT, 1993

LOI DE 1993 SUR LES RELATIONS DE TRAVAIL DANS L'AGRICULTURE

Resuming the adjourned debate on the motion for second reading of Bill 91, An Act respecting Labour Relations in the Agricultural Industry / Projet de loi 91, Loi concernant les relations de travail dans l'industrie agricole.

The Speaker (Hon David Warner): The honourable member for S-D-G & East Grenville had the floor and may now resume.

Mr Noble Villeneuve (S-D-G & East Grenville): It's always nice to get a break for a week, as we've just had, to attend some of the events that occur in our ridings. I must tell you, I had the opportunity of attending several agricultural events in the riding, and this was the main reason for my question to the Minister of Labour earlier today during question period. The question was, effectively, who asked for Bill 91? Indeed, Bill 91 was not asked for by anyone. I had the opportunity of being at the graduation of the Kemptville College of Agricultural Technology on Thursday of last week. I spoke to graduates and I spoke to their parents, I spoke to many people that day, and they're saying, "When is this bill coming in that's going to unionize the family farm?" They're very, very concerned, and concerned with just cause.

Mr Anthony Perruzza (Downsview): You couldn't defend this information that had been given them, could you?

Mr Villeneuve: I simply told them that we are going to attempt to get the government to realize that indeed no one in agriculture wants Bill 91.

Interjection.

Mr Villeneuve: The member for Downsview has a problem understanding that. I don't think he has too many farms in his riding, but if he did, the message would be coming through to him.

Mr Perruzza: I'll match my output against yours any time.

The Deputy Speaker (Mr Gilles E. Morin): The member for Downsview, you're disturbing the peace.

Mr Villeneuve: I want again to reiterate the preamble of Bill 91, and the preamble is so obviously wrong: "It is in the public interest to extend collective bargaining rights to employees and employers in the agriculture and horticulture industries." Where in the world did they get that, Mr Speaker?

I went to the Maxville Fair on the weekend, the biggest black-and-white show in Ontario, and we had farmers there from the Maritimes, from Quebec, from Ontario. An excellent Holstein show, Mr Speaker, and of course the other breeds were there, but it is primarily a black-and-white show.

We had farmers there saying: "What are you doing at Queen's Park? You're attempting to unionize. You're attempting to create a problem like what they're having in Ottawa." Blue Line Taxi's on strike right now and people aren't getting the taxi services. People are roughing up other people, intimidation goes on all the time, and we're going to extend this to agriculture? Again, the preamble makes no sense.

Now the second portion of the preamble starts with "However"—I have to agree with the "however" portion—"the agriculture and horticulture industries have certain unique characteristics that must be considered in extending those rights."

Those unique characteristics include seasonal production, climate sensitivity, time sensitivity, the perishable nature of agriculture and horticulture products and the need for maintenance of continuous processes to ensure the care and survival of animal and plant life. That is absolutely correct. Why the first paragraph? I don't know. Why Bill 91? I don't know. No one seems to know out in rural Ontario.

Under the Ministry of Labour, of all ministries, which has very little in the way of any sort of similarity to Agriculture, Food and Rural Affairs—we now have a whole raft of ministries dictating to Agriculture. Municipal Affairs of course. MNR is now defining what a farmer is. We have the Minister of Environment and Energy very much involved in what farmers can and cannot do with their land, the practices and whatever.

Yet we have the Ministry of Agriculture, Food and Rural Affairs budget being cut very dramatically in the last four years. Very dramatically, some 20%. Had all ministries been cut in that particular amount, we would have absolutely no deficit here in the province of Ontario at all. We would have a balanced budget; we might even have a surplus.

Mr Perruzza: Isn't that what Mike Harris wants to do?

Mr Villeneuve: That is just simply stating a few of the—

Mr Perruzza: Cutting away the food budget at 30%?

Mr Villeneuve: The member for Downsview has a problem understanding that within the revolutionary document that the Tories brought out, the Common Sense Revolution, there are no cuts to agriculture. If the member can come to us and show us even one sentence, one word that touches agriculture—I perused that document very closely. The member for Downsview, you can keep on looking and you'll look all afternoon and all night and you won't find it. Very, very simple.

However, when I spoke to my neighbours who were at the Maxville Fair on the weekend—and we had a successful fair in spite of some very rough weather. We had the RCMP Musical Ride on Saturday night, a very good show. But the concerns of agriculture, particularly those who are in intensive livestock production—you are very much going to bring confrontation to the agricultural field, which does not need it at all. We've had an exemption to this point and, I must tell you, it has worked very, very well.

1540

I must go back to the graduating class at the Kemptville College of Agricultural Technology. Paul Meldrum, whom I think most farmers from eastern Ontario know as the Valley Farmer on Sunday afternoon on the television channel 13, which comes into my home, was a very interesting speaker. I know a lot of people tend to tell us that agriculture is the second most important industry in the province of Ontario. Paul Meldrum confirmed what I've said all along, that it's by far the most important.

He suggested that all of the graduating students from the Kemptville College of Agricultural Technology should be very proud to be proceeding into a career, a profession, into the production or the processing of food. How important is that? It's so important that, in my opinion, it's way ahead of many of the professions, including the legal, the accounting profession, the political profession. It's the production of food.

As Paul Meldrum told them during his address to the graduates, yes, we could, if indeed worst came to worst, take away your television, we could take away your cars, we could take away your refrigerators, we could literally take everything away for a period of one, two, three months and you'd come back and you wouldn't be much the worse for wear. Probably if they took your TV away, you might even be better off. However, if they took the food away from you or from anyone, you certainly wouldn't last 30, 60 or 90 days. That's how important agriculture is to us all. We're all consumers.

Back to Bill 91: In section 6 of Bill 91, the government recommends voting against section 6 of the bill. In section 8, the government recommends voting against section 8 of the bill. Section 10: The government recommends voting against section 10 of the bill. Section 11: The government recommends voting against section 11 of the bill. And this is a government bill.

That's why my question went to the Minister of Labour today. If indeed there are that many problems with Bill 91, why are we trying to work with a lame duck? It's not a good bill. There are major, major changes that are being recommended by the government to its own bill. If indeed we proceed, the Progressive Conservative Party of Ontario will certainly have its amendments, but the first would be to totally disregard the bill. However, it doesn't look like this will happen.

I'll tell you some of the concerns I have. Section 12 states in part:

"In this section, 'family member', in reference to an employer, means"—subject to the regulations—"a spouse, child, sibling, parent or grandchild of (a) the employer; (b) if the employer is a partnership—if a partner has at least 51% of the shares in the partnership etc.

It goes on and redefines how agricultural corporations, agricultural partnerships, even loosely knit names of farm operations—so it becomes very complicated and, in my opinion, an unnecessary maze of bureaucracy.

Bill 91 is an extension of Bill 40. Bill 40 is a bill in which, effectively, labour becomes a controller in many operations. We, the Progressive Conservative Party of Ontario, would rescind both Bill 40 and Bill 91. We see no need for either one. If some alterations have to be made to labour legislation, let's keep them at that exactly—alterations.

Back to the Kemptville College of Agricultural Technology. I want to pass on a word of compliment and thanks to the Minister of Agriculture, Food and Rural Affairs at this particular point for the \$3-per-hour subsidy he will be providing to about 1,100 students in agriculture who will be working for at least six weeks on some of our farms in rural Ontario.

That was certainly a long time coming. I believe it's not a great deal of money, but certainly I've been encouraging all of my constituents to apply as soon as they can for this \$3-per-hour subsidy, because it's some degree of financial support to those people who are farming out in rural Ontario.

Back to the Maxville Fair. It's kind of important, because it's right in my own backyard. I spoke to a number of farm equipment dealers who had equipment on display and they were expressing how concerned the farming community was, particularly in that there is no more startup mechanism to assist new farmers to come into the business. In prior times with prior governments, we had the beginning farmers financial package, we had Farm-Start, and they were all oriented towards getting new blood into the agricultural field, into the profession of the production of food.

There are no longer any sorts of programs to support beginning farmers in any way, shape or form. Bill 91 goes in exactly the opposite direction. Bill 91, if it does anything, will discourage a beginning farmer, a new farmer, if he or she is even considering setting up shop, because it creates a whole bureaucracy under the Ministry of Labour that will stand in the way of having agriculture be able to proceed as it always has.

It's very dependent on the weather. Livestock have to

be looked after on a daily basis. You get to a situation where, yes, you can't go on strike and you can't get locked out; however, the mechanisms are in place where you will be living under tremendous strains because of the fact that this famous labour legislation is in place, when indeed a farmer and his employees would simply sit down around the kitchen table if there was a problem and come to a solution. You'll tell me, Mr Speaker, they can still do that. Of course they can still do that. Why have Bill 91? It's an absolutely needless piece of legislation interpreted by a bunch of bureaucrats.

When I last spoke in this House some 10 or 12 days ago, I spoke on graduated licences to some degree and how they will affect rural and agricultural Ontario. I attempted at that time to have the Minister of Labour and his officials look at exempting the farm-licensed vehicle, the farm pickup, the farm grain truck that would be going from field to storage area in the farm yard or to the elevator or to the processor. I was rather saddened that the ministry and ministry officials saw no need at all to exempt farm-licensed vehicles in their graduated licensing process and mechanism.

Graduated licences we believe will be a good thing. They are in the process of happening now, and I believe in the long run will be a positive in providing new drivers with better experience, better education, and honing their skills at driving, which is never an easy thing to do, particularly in the conditions we sometimes have during the fall, winter and early spring.

1550

However, I felt very disappointed that an exception could not be made for those farm trucks, farm-licensed trucks, that effectively do only farm business and would be hauling livestock to market, hauling grain from the field to the elevator, or what have you.

At the Heinz plant in Leamington, the company and union had a lockout and a strike, and it would have happened to the growers who were waiting for their tomato contracts to be signed, but the growing season couldn't wait.

These are the concerns that all of agriculture has, in that the production of crops, the production of livestock and the farming of the land—particularly in the area I come from, we have a growing season that is frost-free from May 15 to September 15. It's not a lot of time, so timeliness is of utmost importance. For this bill, time is not of the essence.

We, the Progressive Conservative Party of the province of Ontario, will do what we can to slow down this process, and indeed hopefully have this bill totally thrown out of this Legislature and have agriculture be exempt from any labour laws, as it has traditionally been over many years.

The Common Sense Revolution, referred to by my colleague from Downsview a while ago, is a document that makes a great deal of sense. We talk about 725,000 new jobs over the next five years. We speak of balancing the budget and putting people back to work. The problem with Bill 91 is that it goes in the exact opposite direction of creating jobs: It will be eliminating jobs.

I have spoken to some people in the tender fruit industry, and they are very seriously considering either mechanizing as much as possible or actually liquidating the operation. That is a rather sad comment on the state of the industry at this particular time, because they are in a very labour-intensive type of business. When you're in a labour-intensive business, you have to depend on labour and make sure they are prepared, willing and able to do what has to be done in a timely fashion.

Production of livestock is exactly the same. The dairy industry is a prime example. The dairy industry requires that the livestock be looked after 365 days a year, and that includes Christmas and New Year's and every other holiday, Sunday included. There are times when, yes, there is friction and problems between the employer and employee, but it has always been able to be negotiated, and if it could not be negotiated, the employee simply walked away and someone replaced him or her. That is the way the industry has gone in the past, and an exemption from Bill 91 would be, in my humble opinion, the right way to go. However, it seems the government is intent on putting forth Bill 91.

During the week we were on constituency work, I had the opportunity of looking at some of the amendments. In my opinion, the amendments are very drastically changing the bill. As I have mentioned on a previous occasion, with Bill 105, which was setting up agricultural groups, general farm organizations, we had the same kind of situation, where major amendments would have been required. The government, I believe, was wise and did the right thing in totally forgetting about Bill 105 and coming in with another bill, Bill 42, which worked reasonably well. It certainly didn't make everyone happy across Ontario—we had some negative comments—but by and large it is supported. It's my understanding that both the Christian Farmers and the Ontario Federation of Agriculture have a number of increased memberships, and I believe they will serve the industry well.

Agriculture is in a declining mode, with the numbers now in the area of slightly more than 2% of the population. When we consider the importance of the production of food, the processing and transportation of food and food products, and your base source is slightly more than 2% of your entire population, it's very important that you allow those people to operate in a reasonable and timely fashion. Bill 91 will interfere with that on an ongoing basis.

You talk about arbitration here and the powers of an arbitrator. Well, the experience with arbitrators in many instances—the city of Cornwall comes to mind immediately, where the firefighters, who are declared a mandatory service, had an arbitrator come in. The arbitrator provided a 13%-plus retroactive increase to a municipality like the city of Cornwall in the early 1990s, when the economy was in very great difficulty. We have to remember that there are times when these arbitrators really don't have their ear to the ground, and the reality of having to find dollars to meet the requirements is most difficult at the best of times.

The agriculture labour-management advisory committee which was established by the minister continues under the

new, amended bill, and that is positive if indeed this bill is going to survive.

The Minister of Finance has made sure that the Ministry of Agriculture, Food and Rural Affairs has had very limited budget expansion. As a matter of fact, as I've mentioned before, it's some 20% reduced over the past four years. It's rather a sad situation for the state of the industry, for Agriculture to be faced with that kind of reduction when all other ministries, save and except possibly the Ministry of Natural Resources, have seen considerable increases in the amount of moneys that were available to them.

The agricultural operations are basically family-type operations where husband, wife and family work as a unit. In many instances they may be supplemented by one, two or more employees. Generally, the operation works that way. It's a closely knit situation where people are helping one another. In the agricultural community, we look back over many years when we used to help one another during the thrashing, during the harvesting of the crops. It was basically a large group of farmers going from farm to farm, interchanging labour, and it didn't matter whether you thrashed three days at one place and two days at the other. Everyone helped one another and didn't count the time or the hours.

It is different now with the mechanization that has occurred, where farmers are much more on their own and less dependent on one another. However, Bill 91 will enforce that even more in that it will force the mechanization of everything possible. Labour on a farm will become almost non-existent. It can't become non-existent, but it will be minimized in that Bill 91 will make it very, very difficult for agriculture to survive and indeed to thrive, particularly in those areas in the tender fruit and vegetable production areas that are labour-intensive.

Mr Speaker, this is kind of an important discussion and I don't believe we have a quorum.

The Deputy Speaker: Would you please check whether there is a quorum.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

1600

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Deputy Speaker: The member for S-D-G & East Grenville.

Mr Villeneuve: Back to Bill 91. In Maxville we have a pretty good horse show, and we had the horse racing people and the show horse people very concerned about what this government is doing not only with Bill 91 but with Bill 8, the casino bill. I was provided with a paper they had presented, that Bill 91 and the casino bill are a real double whammy to the horse racing and the show horse industry here in Ontario, particularly to the horse racing industry. The heading on this document from the Ontario Agriculture and Horse Racing Coalition reads, "Windsor Casino Opening Deals a Losing Hand to Rural Ontario."

"The opening of Ontario's first casino in Windsor is an

economic step backwards for rural communities." And this is the double whammy of Bill 91: "Casinos may bring short-term benefits to the government," said Ontario Federation of Agriculture President Roger George, 'but they will bring long-term misery and increased welfare rolls to rural Ontario.'

"The 47,000-member Ontario Agriculture and Horse Racing Coalition, which includes the OFA and eight horse associations, has long been concerned over the impact of casino gambling on the rural economy." Well, Bill 91 is some other sort of gambling.

"This is an issue for rural Ontario that Premier Bob Rae does not seem to understand, that the establishment of casinos and other new gaming outlets has the potential to put at risk a large portion of the 50,000 equine-related jobs and take much-needed money from Ontario farmers' pockets. The horse industry annually purchases \$350 million in grain, feed and straw from its farming neighbours, which is approximately 5% of Ontario's gross farm income. Bill 91 will probably get rid of many of those jobs within the horse racing, training and production industry. This is in addition to the money that horse owners and trainers spend on veterinary services, farm equipment, transportation and rural municipal taxes. The end result," said Dr Brown, "is \$2.2 billion of economic activity, which includes \$500 million paid out in wages and salaries."

These people, the Ontario association for horse racing, anticipate a decline in the horse racing industry by as much as 40% if the Windsor opening turns into a proliferation of casinos across the province. You may wonder what this has to do with Bill 91. Well, Bill 91 will simply accelerate the decline of the horse industry, because it will be imposing on those people who train horses, who feed horses, who breed horses—more rules and regulations on an industry that casinos have already pretty well pulled the rug out from under.

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): One casino.

Mr Villeneuve: I'm glad to see the Minister of Consumer and Commercial Relations here doing a bit of heckling because it shows that she's concerned, she's worried—and that's the way it should be—but not listening. As I said before, when you speak of horses, there's an old cliché, and it was said in this House by a former Liberal member for Grey, "You can take a horse to drink, but you can't make him water."

Interjections.

Mr Villeneuve: It took a while for it to sink in.

It's appalling that to date, and despite our numerous requests, there has been no comprehensive economic impact study done—and I'm glad the minister's listening closely—on the effects of casino introduction on the Ontario economy, let alone agriculture and in particular the horse racing industry.

The people who come to Ontario to gamble won't be tourists, they won't be hunters or fishermen, or even ardent shoppers. They will leave their few hundred dollars on the casino floor and nothing in the pockets of local communities. Many of these dollars would have

gone through the horse racing betting windows, where they wind up back in the stables, and from the stable they go back to the farm. Bill 91 will simply make it more difficult for yet another sector of Ontario's hard-hit rural, agricultural economy to survive.

This government has cut off the land stewardship program completely. It was an excellent program. It prevented erosion—

Mr Drummond White (Durham Centre): What's that got to do with Bill 91?

Mr Villeneuve: It's all got to do with Bill 91: the imposition of additional rules, regulations and roadblocks while cutting back the budget that came from the Ministry of Agriculture, Food and Rural Affairs to support the ripple effect. In agriculture, the dollars have a multiplier of seven; in other words, a dollar earned on the farm multiplies by seven throughout the entire rural economy. Bill 91 again is setting up a bureaucracy to create problems for agriculture and for those who are trying to survive in an ever-increasingly more difficult time.

The ethanol industry, which I've supported for many years, as you well know, Mr Speaker, is also going through some difficult times in that it's looking for the federal government to remove, for at least a minimum of five years and hopefully 10 years, the 14.7-cent tax on the ethanol portion of that particular litre of fuel.

I must commend the Ontario government. It has removed its tax on the ethanol, but not over the long haul. We need a commitment over the long haul. The Minister of Consumer and Commercial Relations is applauding and she has just cause, but make it happen for real: Bring it over at least a five-year period. Then we can possibly have Commercial Alcohols, which you're supporting with a large block of money in the Chatham area, go in and start the production of ethanol. We have the Seaway Valley Farmers Energy Co-operative out in my area, which is struggling to get capital put together to get its plan going. The production of ethanol must happen here in Ontario to use the locally grown grain, because if Bill 91 is going to be brought in, we have to stimulate the economy simply to meet the added costs and demands that Bill 91 will impose on the producers of food in Ontario.

1610

The Ministry of Natural Resources finds itself in many instances calling the shots on agriculture. MNR, of all things, is defining what a farmer is. We now will have the Ministry of Labour under Bill 91 telling them how to set up their corporate structure, their family farm structure, their private individual structure, as some of the amendments here touch on.

I've got to go back to the preamble. It's an alarming preamble when it reads, "It is in the public interest to extend collective bargaining rights to employees and employers in the agriculture and horticulture industries."

That I cannot accept. All of the people involved directly and indirectly in agriculture whom I spoke to over the last week, which was a constituency week, fully agree with me. The minister today, when I questioned him as to who put the pressure on him to bring in Bill

91, didn't name anyone in particular; he said everybody was happy. I wish the minister would have been following me this week. He would have noticed that there were many unhappy people here with the likes of Bill 91. Right in the same preamble it recognizes the very special nature of the production of food and the raising of livestock.

As we proceed, and I make no bones about it, our party is going to be as obstructionist as possible with this bill, for the simple reason that it is not wanted and it is not needed out in rural Ontario.

I believe I have used up almost all of my time. I know there are many other colleagues who want to participate and I look forward to their comments as well.

The Deputy Speaker: Are there any questions or comments?

Mrs Joan M. Fawcett (Northumberland): I found it rather astounding, actually, as I listened to the member for S-D-G & East Grenville, who was speaking on Bill 91, and actually even earlier when he asked my question, again, to the Minister of Labour—but really, one wonders where this member is coming from. He is, I believe, the Agriculture critic for the third party but I honestly think he should be ashamed to be up talking about agriculture. Here he is, on behalf of his party, standing, talking about agriculture. I checked through this much-touted policy document, I guess we could call it, that maybe should be called the ridiculous revolution. I checked through and agriculture is not even mentioned once in that whole document. The word isn't even present, and really, I looked hard and I could not find anything about agriculture in this wonderful document. I think it's a disgrace that this member would stand in his place and make believe that the Conservatives care about agriculture.

If you do any kind of basic math on the funding that the Conservatives say they are intending to give agriculture, it's at least a 40% decrease. But I guess, when you think about it, this isn't surprising, because in the last year of their era the OFA called for the resignation of the then Premier, Larry Grossman, and the Minister of Agriculture. So nothing changes. They don't care.

Mr Paul Klopp (Huron): The member for S-D-G, as always, tries to put forth a view that he hears from the agriculture community. Although I think that there are other views out there, I listened with interest to some of the things he talked about. One particular issue is with regard to ethanol. He made a comment that the Ministry of Finance has given the ethanol industry a formula, which it asked for, which would give it stability. That actually is what they have. The sunset is no problem at all. Maybe he got confused a little bit with the problem with the federal Liberals, who have now bowed to the corporate interests of the fuel industry rather than saying that there should be another player to create competition. That's unfortunate, but I think maybe that's where he got confused. It does get confusing where the Liberals are on many issues.

But indeed, just for the record, that is exactly what the industry said it could live with. It's a formula which protects the farmers and the taxpayers, because if fuel prices go up, we don't get stuck. There's actually a

floating level there so that we're all winners: farmers, job creation, the environment. I want to make that clear.

I'll be making some other comments later, but I congratulate the member for putting forth some concerns which I've heard out there but which I think have been addressed by the Minister of Labour, who has listened very closely to what the farmers wanted in this bill, and that's what's going to happen.

Mr John C. Cleary (Cornwall): I too would add a few comments in the rotation. I agree with the member from S-D-G. We are having difficulty finding anyone who seems to be supportive of this bill.

On the other side of the coin, I was somewhat disappointed that he and his party didn't have more to say in the Common Sense Revolution about what they would be doing for agriculture.

I am proud to say, on the ethanol plans for this province, that the Liberals were the first off the mark to make a 10-year commitment on the tax holiday.

Mr Klopp: That doesn't work. You don't understand it.

Mr Cleary: I don't need the member for Huron to get into this. I have my own views and I would like to correct him. I know that later on, after the Liberals had made their commitment, along came the government and added a few more years to what the Liberals had already said on the tax holiday. I know that agriculture and the ethanol industry are very important in all parts of Ontario. It's good for the economy and I would hope that things move along well on it; I firmly believe they will.

There are many other issues. We met with a number of agricultural people the other night from all over eastern Ontario and we asked them their comments. Around that table there was not one who supported Bill 91.

Mrs Ellen MacKinnon (Lambton): I want first of all to commend the member from East Grenville; I'm afraid I'll get it mixed up if I go any further than that. I understand a bit of what it is he's saying; however, I'm wondering if perhaps there isn't a bit of confusion in regard to this bill.

I had an opportunity this past week to speak to many of my constituents. As you know, Lambton county is very, very rural. With the exception of one or two, they were all quite happy about it. But with that one or two, once it was explained to them and clarified, they understood and they said that yes, they could live with it.

The member, I notice, said things about strikes and lockouts etc. This bill was designed and worked on by farmers, as you know, in a committee fashion. It will prohibit strikes or lockouts. It sets out a structured process of negotiation, mediation and arbitration. That's as it should be.

It would be my hope that this will not affect family farms very much but more along the line of what I would call the corporate farms. I believe there are many corporate farms, and there are some in Lambton county. Certainly, the workers have no protection there and I feel they do need protection from lockouts etc.

It also will restrict the access to property for organizing purposes in order to protect critical sanitary and

safety conditions, and this is as it should be. We shouldn't have people coming on to the farms for the purpose of organization and putting things like that at risk.

I do intend to support the bill and I thank you very much for your time.

1620

The Deputy Speaker: The member for S-D-G & East Grenville, you have two minutes.

Mr Villeneuve: To all my colleagues who have taken time to respond, I thank them. To the member for Northumberland, it's amazing that all of a sudden the Liberals caught on rather quickly. They're now saying a lot of: "Me too. We will too. Law, justice and security. We had a task force that toured the province last fall." You know what? They wound up doing the same thing.

On the Common Sense Revolution here, the Liberals I believe were waving an American flag and saying that agriculture was going to be cut. There is no cut to agriculture in this, and I had some input in putting it together. There will be no cuts to agriculture. Agriculture has already been cut plenty. It's down below 1% of the budget.

Mrs Fawcett: You're not going to cut agriculture? What are you going to cut?

Mr Villeneuve: The problem with the Liberals is that common sense is something they have some difficulty recognizing.

To my colleague the member for Huron, I thank him for trying to set the record straight. I think that on ethanol I do have the record fairly straight. We do need to give the production facility a longer term so that it can make the very heavy investment that's required by both the federal and the provincial government.

To my colleague the member for Cornwall, he too I know has been travelling in the rural community recently. He's getting the very same message I'm getting, maybe even from the same people: We don't need this bill. There's no confusion; just exempt agriculture.

The problem is that they forced agriculture into this, because they say, "If you don't go for Bill 91, then Bill 40 will apply," which is absolute poison not only to agriculture but to a lot of industries.

To my colleague the member for Lambton, thank you very much for participating. I know you have a large and excellent farming community in your area, and I do think they have concerns.

The Deputy Speaker: Any further debate?

Mr Klopp: I welcome today the opportunity to stand and talk about the labour bill, Bill 91, with regard to agricultural labour. About four years ago when we were elected, the Minister of Labour made—

Mr Cleary: On a point of order, Mr Speaker: I think this is a very important issue, and I think we should have a quorum in the House.

The Deputy Speaker: Would you please verify if there is a quorum in the House.

Clerk Assistant and Clerk of Committees: A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Deputy Speaker: The member for Huron.

Mr Klopp: I thank my colleagues in the House for making sure that there are enough members in to talk about this important bill and to talk about agriculture issues. I am glad to see that. I know that last week some members would make comments and then leave, and we tried to all be in the House at all times.

Getting back to this important piece of legislation, about four years ago when we were elected the then new Minister of Labour made a commitment to the working people of this province that he would review all pieces of legislation with regard to labour. At that time, agriculture, that industry, was exempt.

As we all know, we've moved along considerably from the 1920s, the 1800s maybe in some cases, in this business called agriculture. In fact, I have always called agriculture a business. I always resented, when I went to school, in the past when they said, "Well, you know, in the old days, they weren't business people; they were just farmers." Maybe we didn't have calculators, but they ran a business just as much as anybody in any little store in Ontario or any big store in this country. Whether they're big or small really is not the point; it is run like a business.

I don't think we should be criticized because of the fact we happen to enjoy our job. As one who's been fighting in the farm community to get points of view across, maybe we enjoy it so much that we almost want to work for nothing, but that is something that many of us have tried to change, in spite of maybe Liberals and even the odd Conservative government. Bill Stewart understood it. Unfortunately, Bill Stewart retired.

At the time we made it very clear in the rural community that you had to talk to the farm community about the issue of farm labour, because we really felt they are the ones who know about it: not bureaucrats, but the real people out on the country roads who talk about this issue.

What they want to do is what we're going to be pushing for in the rural caucus. The nice thing about that is, when we talked about it in caucus, it wasn't just the rural members who agreed with that; it was all the members of this caucus. All the members realized the importance of rural Ontario, and not just talking about it, but working its way through its actions.

As things moved through, there was a committee set up through the Ministry of Labour and they reviewed the issue. The farm community, with labour and the farmers, reached a consensus. The consensus was that they would go forward as long as there was a separate identity to that which became known as Bill 40. Some of us were surprised in the farm community and as a legislator. But I made a commitment, as did the Premier on many occasions, and this minister and Elmer Buchanan and many others in the caucus, that if the farm community reaches a consensus, it will be put forward in legislation.

We all know that legislation takes time and there are many things on our plate. We came into government

when the bottom fell out of the economy. As one who relates very much to agriculture, there were lots of places for expenses, but the income fell down. We had a lot on our plate, but we've worked through the issues.

The labour committee was made up of farm groups and organizations that are directly impacted by any changes to the Labour Relations Act pertaining to agriculture. As I said last week in my comments, it wasn't even like a farmer like myself who's a family farmer. My only labour is myself, my family, my dad, sometimes my cousins, whom I sometimes get to help, although sometimes when they run my tractor or they do some work for me, it might have been cheaper if I had maybe done it myself or left it, because sometimes the equipment runs into the odd fence.

Mr Perruzza: Your cousins are watching. They might not be helping you any more.

Mr Klopp: So be it. I don't give them heck. I remember when I was 16 and I had to learn how to drive a tractor too. But in seriousness, it was the organizations like the tobacco—

Mr Kimble Sutherland (Oxford): That's what I call adult learning.

Mr Klopp: Yes, I still can learn every day to drive my tractor.

It was the organizations which did have a lot of labour-intensive dealings, the fruit and vegetable people, they were the ones on this committee; they had tough negotiations. I'm sure they felt at some points in time, were they going to be heard? So many times before in previous governments they weren't heard.

In fact, in looking back in the history book of this, this issue has been around a long time. It didn't just start on September 6. There were times over the years when the industry was asked to review what goes on in Ontario with regard to the farm labour issue. I know it was fraught with danger, because we were a little bit concerned, when I was on the other side of the fence, in the farm labour, with the OFA and a number of other farm organizations, the county federations etc, about those governments. So many times if we would talk to somebody other than the Minister of Agriculture, we would get lost. We've seen it so many times.

But the issue was coming back again and again. The minister brought out papers that said this issue is nothing new; it's been around; let's deal with it. It's better for us to deal with it, because the minister said, "I will make a commitment to listen to what the farm community wishes." It was pointed out to me by a farmer in my own county when he said that this issue has been around. So it wasn't just something I found in the mandarins of this place or over at the ministry.

1630

As we looked in other provinces, Alberta is the only other province besides us that has no legislation. They've kept it exempt. As I look to those areas, they don't have problems. In fact any problems they have, we had a chance to recognize and fix. That is what this legislation is all about.

At first reading there were a number of points that the

farm community said they wanted changed. They went back and the commitment was made again, "We're going to talk." The minister said, "We're going to talk about and we're going to work with you." The labour movement said, "We want to work with you." That was the criterion that many of us followed at the beginning of this process almost three years ago and we followed with this process.

Mrs Fawcett: On a point of order, Mr Speaker: I don't believe there's a quorum present.

The Deputy Speaker: Would you please check if there is a quorum.

Clerk Assistant and Clerk of Committees: A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Deputy Speaker: The member for Huron.

Mr Klopp: It's good to see we have a quorum call. It allowed me to rest up and have a colleague from the Liberal Party show up. It's good to see so few here. It tells you exactly what they're thinking.

Getting back to the issue around the farmers and the concerns about working with government, it has been seen again in the short few minutes that I've been in the House today and only confirms why in agriculture we're a little cynical of working with government. When one watches today in the House, if anyone's at home watching this, we had a Liberal Ag critic stand up and criticize the member for S-D-G, the Conservative member, then the next time it came around in rotation, another Liberal critic stood up and praised him for his comments. If you think how they can change saddles and change horses so quickly, when you're dealing with a minister, you would wonder, could they change saddles?

We have put forth a very progressive idea with our government in dealing with organizations, that we work with them; we don't try to play games. We have to worry about the constituents, all constituents, the people of Ontario, but if someone has an idea, we should try to work with them. We've seen that very clearly with this piece of legislation.

We practised that with the commodity loan program, a program in which we sat down with the farming community, they said to us, "We have a problem with farmers having the ability to have their line of credit in the spring," and we said, "We need to deal with that." Everybody agreed there was no need to hand out money.

Interest rate programs: That was good for the politician. He or she got some recognition by handing out money. But as one of those who was the recipient, I paid the interest at 13% and 14%, which was too high, and then I turned around and a year later I got a cheque for a 3% or 4% rebate and everybody thought I was getting found money. It would have been far better and far more efficient, I always said, if we had a program in which I could get money at 8% or 9% up front. I would know what the costs are and then I could build around that and save interest all year.

When we got to government we said that can happen.

We worked with the farm community and we have the egg commodity program. The egg commodity program is working so well not because it's being used so much, but we're not getting phone calls from farmers saying that the bank won't give them a loan any more, basically foreclosing them, as you may well know; or we're hearing that they have to go to a seed dealer who doesn't want to be in the banking business, but they need to charge a high amount to cover their administration. They now have an opportunity with this program and it has created competition among the lending institutions.

We further did that with the program with regard to FarmPlus, and FarmPlus is allowing people to invest. That again was done by farmers working together with the ministry, and the ministry listening and following through and talking to the treasury department and convincing it that we have some good ideas.

These are but two examples with us, and now a third with the Ministry of Labour. I commend them for that.

We are also promoting issues like ethanol. Maybe we talk about how it ties in with Bill 91 and the labour movement, but the Liberals talk about a 10-year moratorium. Those are only words. The financial institutions say, "That isn't good enough. We need a contract"—a contract that is the whim of a minister changing, or a government, a contract not unlike when somebody goes to Ontario Development Corp and rents a building or makes a contract, something that is tangible.

The Treasurer made a commitment that we're going to work because it's good for farmers, it's good for investment and it's good for the environment.

When we were down in Chatham the industry itself said: "For the first time a government is actually working. Yes, they have the consumer at heart, and the taxpayer. They were tough negotiators, but they'd seen a dream." Within six or seven short months of getting everybody at the table, we came up with a formula that anyone can use. I hope that the co-ops and other private industry can use this formula.

We gave it to the federal government. There's no reason at all why they can't use it, other than that they're probably, as they pointed out, worried about their true allegiances to the oil companies. It's unfortunate. At election time, as a farmer pointed out to me the other day, it seems that just before every election the Liberals and Tories come out and say, "We're going to get on this." It's been over 10 or 12 years now that this issue has been around.

I invested \$500 back in the late 1970s for an ethanol plant. Needless to say, because we were farmers trying to keep things going, we couldn't keep it going. We had to retire our investment. It sure was disheartening. At that time we already knew about cars that could run on ethanol. We also found out that in South America, of all places, cars were running on ethanol. It wasn't something new. It was again the information not getting out.

It only goes to show why I support farm groups and stable funding, another example of working with the industry and promoting and getting farmers working together, allowing them to work with government. We've

been a government that has done that.

I know it's hard to believe. It's hard to believe for myself at some points when I talk to the Minister of Labour, and I have talked to the United Food and Commercial Workers International Union, wanting to get an agreement, because there are two sides to this issue.

When I look and see someone saying the family farm is going to be unionized, that is just wrong. I can understand why someone's against it and wants to promote that. It's a free country. You throw your arguments, but the facts just don't show it.

Anyone knows the family farm is run by the family. As I pointed out, is my son going to go on strike against me? If my son goes on strike against me, he's going on strike against himself. We both lose. Or my father.

We look at statistics. Less than 300 farms have 10 or more employees. I would hazard to say that if you know anything at all about farming, you know how you treat your workers. If you hire someone, you treat them with respect, because if they decide that they're not going to go out to the barn for you, you can lose a heck of a lot of money very quickly. Anybody who doesn't take care of their workers and treat them with respect is in trouble.

What does Bill 91 do? It doesn't force anybody to join anything. As a farmer in my riding pointed out in the discussions—and good discussions: "It's a lot like the marketing legislation that I have as the farmer, the owner, the worker, the operator. If we as an organization have an opportunity to have marketing boards"—although it's been severely drained by the Brian Mulroney years, and I certainly hope that the new government pushes very hard. I know Elmer Buchanan is pushing very hard, and a number of individual colleagues in this House are pushing very hard, that the federal government talk tough with our American partners.

Now they're even going to South America to try to undermine our wheat boards and our dairy boards and our chicken boards, all under the guise that we need cheap food. We don't need cheap food. It's a fallacy in this province. It's not cheap. It's cheap at the farm gate for many of us, but when you go to buy it, at our household, it's \$50 to \$60 a week, and we have our beef and pork that we get. That doesn't seem very cheap to me. The point is that we need to work together, and we are working together.

1640

I know that the farm community, the vast majority—it's not forcing them to join. It's the same legislation as the marketing system. If you wish to go and see about joining, you can, but it's not being forced upon anyone. That's been quite clear. I went to one of the first meetings. Talk about hands-on. When this first came out, I went to the tobacco industry down in Norm Jamison's riding. We started the discussions right away. At that time there were two parliamentary assistants, and we both went down to that meeting to show its importance, to hear what was going on. Norm was there. I believe there was a number of other colleagues: the parliamentary assistant for the Minister of Labour. We went down to an open meeting with the unions and the farmers and we got

a lot cleared up about what was going on.

As to the idea that one person who works on a farm is going to be unionized, the UFCW person came right out and said: "No, that is not the intent. That just doesn't make any sense. Three employees doesn't make any sense." The more I thought about it—and a lot of the farmers in that room came from the real grass roots—if you had one or two employees and you were treating them that badly, well, you don't need this anyway. Those people would leave you.

This legislation is not forcing anyone to join anything. It's not unionizing the family farm, although I can understand why those who argue this point would want to do that. I would do it too, if I were on that side. You have very few other handles to throw out, so you throw that one out. But it's not true.

Interjections.

Mr Klopp: No. I said I could understand why they would do that. I wouldn't play that way. I was taught to debate things more aboveboard than that. But that's fine. People are out there and they want to hear both sides. The reality is that if this legislation were going to unionize the family farm, we wouldn't be doing it.

If I look in the other provinces where they have the same type of legislation—Quebec, Manitoba, Saskatchewan, BC—the family is not unionized. In the real world out there, it backs it up with fact. Someone could say that maybe in another country it's different. In the EC they have the same types of regulations in some of the countries, I understand, but of course you could say, "Well, that's in Europe." But in Canada, in those provinces, they do not have the concerns that have been raised, and we wouldn't have those concerns and neither would the Ministry of Labour.

Let's remember this: It was the farm community that worked on this bill. They are the ones who went to the meetings. The people were directly involved. Yes, you can say that Bill 40 pushes them this way, but let's remember a step back. At the very first, the minister asked for their opinion and he said, "If a consensus is reached, we'll move on," and a consensus was reached. Then at that time people said: "But you still can't trust the minister. He's going to back-stab." The people who said that were, ironically, the opposition, about whom the farm community said, "They sure did it to us lots of times."

I can remember going to so many meetings where they said: "Why should we vote for the NDP? The Liberals and Tories say they are our friends and look what they do to us. And you want us to try you?" I said: "Let's talk about hiring people. If I hire somebody at my farm and they keep not doing what I want, and if every time I ask them, 'Are you working for me?' they say, 'Oh, yes, we're working for you' but then they go out and keep wrecking stuff, it's time to try somebody new." So I said, "I think you'd have a difference."

At election time, things happened. We're here. We have made a difference. We've negotiated openly with the farm community on this bill. Elmer Buchanan has worked very closely with many farmers out there on many bills, and not only on new bills and new legislation

but on past pieces of legislation. We've taken a stand at meetings with the federal government, listening to farmers about our marketing boards, about the cattlemen too. We all need to have a piece and have a chance to work together and get our fair share. The minister and this government have taken a balance on that.

The Premier of Ontario has gone to meetings in my riding and in Kimble's and in others, sat with the farmers at a table and had them talk, talk about many issues, because rural Ontario isn't just about agriculture per se. It's about many other issues—MNR. How many premiers have done that in the last 10 years? Not very many.

Many people were impressed that the Premier didn't go to those meetings and just sit there like he was there just for a picture opportunity. The Premier of this province talks to his colleagues in rural Ontario about the issues, and he went to those meetings and asked tough questions, because he really wanted to know what they were asking and how we can help them. That, I tell you, hasn't happened for a long time.

The Premier says to people very clearly that new industry is important, we talk about new technologies, and I see from time to time—and I understand it—letters in the papers saying, "But he doesn't talk about agriculture." Well, you only have a few minutes in each speech. But the Premier said very clearly that just because he hasn't talked about it doesn't mean he thinks it's not important. He's made a point of saying that.

At our Vision 2020 meetings that we helped put together, all people get into those meetings—farmers, big business, small business—and the Premier has taken time to go to those meetings and very eloquently understood the issue and said that agriculture is as important as any other industry.

There are new technologies in agriculture. I can remember not that long ago when an air-conditioner in a tractor was something just a very few had, and some people said, why do farmers need that? Well, I come to this place and we have air-conditioning. Surely in agriculture we can have air-conditioning. We need the money and the funds to pay for them.

Bill 91 is not going to unionize the family farm. Bill 91 is there for people to have an opportunity to use it as a tool. Its time has come.

I said at the very beginning of this, over three years ago, that if the farm community is consulted in an open and fair manner and they reach a consensus and an understanding, I would support that.

I've kept that commitment. I believe the minister has kept that commitment. I thank many members in the opposition who have helped that commitment, but I think they shouldn't be playing both sides of the fence on this issue.

It reminded me the other day when I was listening to the Liberal speech. All they did was take out stable funding and put in Bill 91. Today, when I hear them criticize the Conservative Party—as I pointed out, one stands up and criticizes the Conservative Party for the politicalness of this place, and then another one stands up and says: "The member made very good comments. I

don't like the bill either." We don't need that. That doesn't help anyone.

In closing, I really commend the minister for doing what he promised and set out to do, and I thank my colleagues in caucus who have helped that process through, and Mike Cooper. I will end my comments there.

The Deputy Speaker: Any questions or comments?

Mr Cleary: Just to set the record straight on what the member for Huron has said, I guess we don't need him to tell us that everybody is happy and all is well. I can tell you that things are not all well on Bill 91. We've had lots of calls in our office, many of them from his area, who say they can't even meet with him on these issues.

Mr Klopp: Name names.

Mr Perruzza: Forward the names.

Mr Cleary: Well, I might be able to do that. You wouldn't know what that rural Ontario was, anyway.

He said the bill has the support of rural Ontario. I'd like to ask him, who's supporting the bill? I know many, many groups and many, many farmers, and I've told them about Bill 91 going to be debated in the Legislature today and tomorrow, and they cannot believe this government would stoop that low, to try to unionize agriculture when there's very little time to harvest. I would like the member in his windup to tell us, the Liberal Party, who's supporting Bill 91.

1650

Mr Villeneuve: I guess I'm repeating what the member for Cornwall said. I have to question the member for Huron. I spoke with a number of rural people last week at the Kemptville College of Agricultural Technology graduation, at the Maxville fair, and there was just no one who supports this.

I was concerned when the member for Huron mentioned that the cost of food is expensive. Well, relatively speaking and based on per capita income, food is the best buy anywhere, including the United States, right here in Canada. Bill 91 will do one thing for that: It will make food more expensive. That's inevitable. It has to happen. When you have collective bargaining, the demands of the collective group are met. People will meet it and have to put up the price of the commodity. As the member has stated himself on occasion, agriculture is the only area where you buy retail and you sell wholesale. You have no say on what the price of your commodity is. This is simply one more step in the chain of production that will cost more. He's concerned about the cost of food now. Well, this will simply make it that much worse.

I look forward to his comments. I certainly would like the honourable member for Huron to mention which farm groups, which farm organizations, or even mention some individual names. It's not a problem. Get someone on the record who's supporting this. I can't find anyone. Maybe about three or four cabinet ministers. Those are the only people I find who support this.

Mr Sutherland: I want to congratulate my colleague the member for Huron for his participation in the debate. I've been very impressed over the last four years by his commitment to rural Ontario, to the people who produce

the food for this province and for other locations. He has a proven track record of representing the good interests of rural Ontario, of the farmers and of the fine people of Huron county. I think he's been doing an excellent job at that.

I was very pleased that he brought up the other provinces, because that's really what we have to look at, the fact that in other provinces where farm workers have been allowed to unionize, maybe 3% or 4% maximum have unionized. Let's clearly look at the track record in the other provinces. It has not led to the end of the family farm, as some people are putting forward. The member for Huron made reference to that, about what has gone on in other provinces. With only 3% to 4% unionized, the comment that this is going to drive up the cost of food, that so many farmers are very worried that they're going to go out of business, doesn't seem to make sense.

My question to the member for Huron is, does he think many people in rural Ontario are listening to an organization that is fundamentally opposed to this: Ontarians for Responsible Government? Does the member for Huron think that people in rural Ontario should be listening to an organization that is fundamentally opposed to our supply-management system? Should they be listening to a group that has no track record whatsoever in supporting any causes of the farmers or the people who live in rural Ontario?

Mr Perruzza: I want to pick up on a couple of comments made by my colleague the member for Huron. Being an urban member, watching this debate unfold over the past couple of years and certainly over the last few months, looking at all the consultation and all the people who participated in the process in arriving at where we are today, primarily the consultations that happened with farmers, I think that whole process was absolutely remarkable.

I disagree with many of the comments that, "You never consulted with mine." I'd say to those members, please forward the names and phone numbers of those family farms who say they have been neglected throughout this process. I am more than confident that if the ministry, the minister and the parliamentary assistant don't communicate with those people, I will endeavour to communicate with them and provide them with the information that is available for all those people.

Mr Steven W. Mahoney (Mississauga West): That'll fix it.

Mr Perruzza: But just picking up on the other point, mainly having to do with part of my colleague's speech, and the heckle about funding for farmers and funding for agriculture and how that has been cut, that particular comment came from none other than the Conservative Party in this Legislature, about cuts and projected cuts that they would undertake.

I look at the Common Sense Revolution here that's being bandied about and I see the commercials. How can you come into this place and suck and blow at the same time? In one breath you say, "You're cutting the budget. Put more money in for farmers. Put more money in for agriculture," and on the other hand you say, "We're

going to cut right across the board, 20%, 30%, 40%," and agriculture is the first on the list for those cuts. Shame on you.

Mr Klopp: As you can see, we do have members in the city who are concerned about farmers and their ability to make things. We talk about the farm community out there. The farm community didn't want the issue five, 10 years ago, but it kept coming up and coming up. The farm community came forward.

I went to my Huron County Federation of Agriculture and sat down. Of course, if you go up to someone and say, "I don't like this," the person will probably agree with you at the end of the day. Surprise, surprise. That's not true negotiation in talking about an issue. People seriously sat down and said, "Let's find out what's good and what's bad about this issue." The Huron County Federation of Agriculture discussed it. John van Beer said it very clearly the night that I was there with 35 farmers in that meeting, at least, and they'd obviously discussed it, a cross-reference, and they came to a consensus. In agriculture, if you get a consensus, that's about as good as it gets, because everybody has their own idea on how to do something. They said, "If you consult with the farmers you have consulted with and are going to consult with and you reach a consensus, we will live with that," because no other government took it on. They were always afraid that some Minister of Labour some time down the road would just come in like we see with issues like the gun issue or something federally where, bang, "Here it is and that's it."

The farm community has been consulted. The NFU thinks it was what was needed. They come from other provinces. They're a national organization. My own local organization, the federation, consulted; they reached a consensus. I'm sure there was great debate, as there always was when I was there. So there are groups that talked about it and they reached a consensus.

You talk about cheap food. No, it's cheap food at the farm level; it's not cheap at the consumer level. The argument that was put forth is the same argument I heard this morning from his colleague, who said that supply management causes food to be expensive. The price of the commodity at the farm gate has nothing to do, I believe, with what happens at the retail end. Let's keep that in mind.

The Deputy Speaker: Thank you. Your time has expired. Further debate.

Mr Mahoney: Mr Speaker, I'd like to bring you and the minister greetings from the great farming community of Mississauga.

Mr Jim Wiseman (Durham West): They've paved it and now all it does is grow houses.

Mr Mahoney: Well, it was a great farming community at one time and there are still a few farms left there. I can at least, unlike the member, one of the View brothers, lay some claim to some history and tradition, although I suppose there were probably farms in Downsview as well, at one time.

Interjection.

Mr Mahoney: You'll match your tomatoes with my

tomatoes. I don't know what that is on your boots, but you didn't get it off a farm. My advice would be that you should just stay away and let the Minister of Agriculture deal with the farmers. I don't think they would understand the language that you would misspeak to them.

I was very, very interested to hear another position from the Conservatives on the American revolution document that they put out, so aptly, I thought, demonstrated by Mr Donato in the Sun—"Joyne Mike Hairis and the...Revalooshun," and you see the golf club stuck in his ear there.

The announcement was made that they're going to reduce everybody's income tax by 30%. All in favour? You in favour, 30%, everybody over there? Absolutely. Thirty per cent reduction in your personal income tax: great idea.

Then, on top of that, they're going to reduce the size of government by 20%, but they're not going to touch a number of things. They're not going to touch health care. They're not going to touch education in the classroom. They're not going to touch crime and I assume that means the Attorney General's department and the Solicitor General's department.

1700

Mr Wiseman: Ministry of corrections.

Mr Mahoney: Ministry of corrections. They're not going to touch—this one was thrown in verbally, I think, by the leader. When asked about the impact on transfer payments to organizations like municipalities, the leader of the third party responded and said, "No, no, no; we're not going to cut transfer payments either." Now we hear from the critic for the third party for Agriculture that they're not going to touch agriculture either.

Did I leave anything out that they're not going to cut? I don't think so. Now, when you add all that up—

Mr Gordon Mills (Durham East): What about universities?

Mr Mahoney: I don't know about universities. You guys have already touched them by passing on a 20% increase in tuition fees and then restricting the transfer payments. I think you have probably damaged them enough that I highly doubt—

Mr Sutherland: What's the cost of tuition?

Mr Mahoney: The member probably hasn't finished paying his student loans off yet, he's so new to this place, fresh out of university. I don't know if that's the case or not.

You can see that in finding a 30% reduction in revenue through personal income taxes and a 20% reduction in the size of government, without touching 70% of the government—I think it would approximate 70% of the government. Now that agriculture has been saved from the axe-wielding Tories and agriculture will also not be cut, they're going to have to find 20% reductions in the size of government, from where?

Mr Wiseman: Everything else goes.

Mr Mahoney: What is everything else? What have you got left? You've got tourism. Are you going to cut tourism?

Mr Noel Duignan (Halton North): Social services.

Mr Mahoney: Social services? I'm sure they could just save it all. They'll just cut it all off of welfare. That's it, that's the solution. They're just going to take 20% of the size of the provincial government off the welfare rolls. I wonder what that might do.

We talk about cheap food. I hear people from the farming communities talk about the fact that food is expensive; then I hear somebody else stand up and say it's cheap. I wonder how it will appear to a single mother on welfare who just had her payments reduced, because that's the only place I could see them—maybe energy. Maybe they'll find it in energy. They'll shut down the Minister of Energy. Maybe that's not a bad idea. The ministry of tourism.

This document, this so-called Common Sense Revolution, is a fraud. It puts forward ideas that are so riddled with inconsistencies—

Mr Villeneuve: Mr Speaker, on a point of order: If the honourable member knew what he was talking about and recognized common sense, he would at least realize that there is common sense here. I simply say that Bill 91 is not included in that document at all.

Mr Mahoney: What did you say? Agriculture is not in there?

Mr Villeneuve: Bill 91 is not in there at all.

The Deputy Speaker: The member for Mississauga West, you have the floor.

Mr Mahoney: I think this is very—

Interjections.

Mr Mahoney: You brought it up, not me. The member for S-D-G & East Grenville was the one, let Hansard show, who stood here and proudly said the Conservatives would not cut agricultural funding. He said it had been cut enough. Well, we want to know what you're going to cut. Sure, we're talking about Bill 91, but it was the member, in defending his leader and his Common Sense Revolution, who announced—

Mr Villeneuve: We'll cut Bill 91 and Bill 40; that's what we're going to cut.

Mr Mahoney: I see, and Bill 91. So now we know that if these people become the government, they will roll back Bill 91 and Bill 40 and that will find them 20% of the total provincial budget so that they can in turn reduce your income tax by 30%.

You know what I would dearly like? I don't think I'm going to have this opportunity, but my leader Mrs McLeod is going to have it, and that will be to debate head to head with the leader of the third party, to have him explain exactly how he's going to perform this magic, this trickery, this sorcery—

Interjection: This deception.

Mr Mahoney: —this deception; I think it probably is.

On Bill 91, we know for a fact that the Conservative Party is either misleading us with their document, their Common Sense Revolution, and more importantly, misleading the people out there, or they're going to cut agriculture, folks. I have a feeling that the member for S-D-G & East Grenville will be backpedalling something fierce

one day, although we can solve that problem, because they're not going to be the next government anyway.

The Common Sense Revolution will indeed go down in history as nothing more than the American Revolution recycled and revisited, we know that, but quit putting on the platform these so-called simple solutions, Preston Manning solutions. It's a little bit like Perot during the election in the States. He used to stand up, just like Preston Harris does today in the arguments on this bill and every other bill, and say, "Mr Speaker, if you want to know why the car won't run, you've got to open up the hood and look at the engine," and everybody goes: "Yes, right on. That makes sense, yes."

Interjection.

Mr Mahoney: Not bad for a Ross Perot, eh? But then you open up the hood and you look at the engine and you go, "What's under there?" That's a little bit like Mike Harris looking at bills on agriculture and saying, "How can we fix it?" When he actually looks at it, he hasn't got a clue.

Mr Villeneuve: Listen to who's talking.

Mr Mahoney: Let me tell you something. Much to your surprise, I have spent more time on a farm than you might think. In fact, my wife has family on a 600-acre farm in Iron Bridge, and that's a farmer's farm, let me tell you, because you've got to go around the rocks just to plant whatever the crop is. That's a real farm in Iron Bridge.

I've spent a lot of time and I've brought in the hay and I've been up in the mow slugging away, along with my sons, and I understand how difficult a life it is to farm in Ontario, especially in northern Ontario, let me tell you. I've driven the tractor, and my sons, when they were 12 years old, drove the tractor.

I find it amazing when I hear people in the city and I hear the press trying to drum up the issues that say we've got to stop kids from driving tractors and operating farm equipment. You'd shut down the farming industry if you did that. The family farm needs the family. What a revelation. Can you imagine? They need those young people who grow up on the farm, who understand that they've got to get up at 5 o'clock in the morning with their dad and go out and work the fields before they go to school and then they've got to come home after school and help their dad in the barn or wherever it is or help him to milk the cows or feed the pigs, whatever they have to do. They understand that.

All that proves is the uniqueness of the farming business in the province of Ontario and in the entire country. It's extremely unique. Without the families to support the industry there would be no industry, I would suggest; and with the margins being as difficult as they are in farming, with the great costs there are in transporting your goods to market, with the small amount of profit—what is profit to most farmers, I say to the minister. I'm sure it's a good meal at the end of the day. They're eating their profit in many instances.

Do we think that if we eliminate the family farm we're going to attract multinationals into the farming business? I doubt it. If we do, what's going to happen to the cost of

food? What's going to happen to all costs surrounding agricultural production? It's going to drive it right through the roof, and no government is going to be able to control that.

The best thing that any government could do for the family farm would be to get out of their way, to recognize that they are a small business, getting smaller, I say to the member from Century 21 who's just arrived.

Hon Gilles Pouliot (Minister of Transportation): Mr Speaker, I'm going to take offence at this.

Mr Mahoney: Well, he's selling. That's a very attractive gold jacket. I understand he's out selling the real estate around the province, building roads. Well, you look wonderful today.

I want to tell you how important we in the Liberal Party think agriculture is. First of all, we have two people operating as critics for the Ministry of Agriculture. We have the member for Cornwall and the member for Northumberland, two people who understand, who live every day—in fact I had the distinct pleasure of being the guest speaker at the annual general meeting of the member for Northumberland just last week, Elmer. They wanted you to come, but I was second choice. I'm sure they were delighted that you were busy.

I was pleased to meet with those folks, and I understand from travelling around this province how important agriculture is, whether it's in cash crop or whether it's in livestock or whatever area of agriculture it's in.

1710

Interjection.

Mr Mahoney: Oh, I could go on. The member doesn't think I could go on.

Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs): Watermelons.

Mr Mahoney: We have those. But the most important thing: Minister, why don't you leave them alone?

Do you know the first person to contact me after Bill 40 passed? The first person to contact me—this was very interesting—was Gordy Wilson, of the OFL. I had just been recently appointed Labour critic for this party, taking over from the member for Mississauga North, who moved into the Environment area.

Gord Wilson said, "Now that you're the Labour critic, do you think we can get you to support the amendments to the agricultural sector?" I said: "Well, I don't know what they are. What's the deal, Gord?" He said: "We have a consensus. We have a deal. There's no problem. This'll be really easy. This won't be like Bill 40 at all. This'll be smooth. The minister has met with all the farm people, all the communities; he's talked to them all, to the OFA; he's talked to everybody involved who has an interest. We think we can just sort of slide this thing through, but if you guys make a big fuss about it, it's just going to create problems."

So he's saying, "You know, it's really in your hands, as the critic for the opposition. If you'll just sort of"—nudge, nudge, wink, wink—"come along, we can put this through, and wouldn't it be nice to finally pass a piece of legislation where an actual consensus existed?"

I said: "You know, Gord, that makes sense. I'm prepared to look at that. If what you tell me is true, and I have no reason to believe otherwise, I'm prepared to do that." In fact, I even offered to have the Minister of Labour's staff provide a briefing and to get some of my colleagues to come. "Maybe we can do this. Maybe there is a chance, for the first time in the short history of the NDP government in Ontario, maybe, just maybe, there's a chance at a consensus. Sounds like it."

Mr Perruzza: Is that how you've been rewarded for your loyalty?

Mr Mahoney: How would that reward me for my loyalty? Sentence me to be the Labour critic? I'll tell you, it's like a sentence, except that what it does is it virtually every day gives me an opportunity to talk about issues that are of a lot of concern, because while this is an agricultural bill, it is also—and clearly, the minister, in answering a question today in this House, said it would remain under the Ministry of Labour.

What we have got here is a government that has been thrust into office by accident and has said: "Holy smokes, we're in office now. What are we going to do? Well, we've been telling all our labour buddies over the years that if we ever got power, we would bring in all kinds of stuff for them, so we better do that." And what did we have? We wound up with Bill 40, Bill 80. What was the CECBA bill?

Mr Mike Cooper (Kitchener-Wilmot): Bill 117.

Mr Mahoney: Bill 117, CECBA, the parliamentary assistant for Labour says. How did you get that job? You've got to be the busiest guy over there.

Hon Mr Pouliot: He is.

Mr Mahoney: Well, we know what you're doing. You're just out taking pictures of everybody and rubbing your hands in glee with the \$66 million the Ministry of Transportation is generating for the treasury.

The Deputy Speaker: Back to the debate.

Mr Mahoney: So we had Bill 40, probably the single most destructive bill in my seven years around here, Bill 40, and there have been some very, very difficult bills.

Hon Mr Pouliot: Seven years.

Mr Mahoney: Well, not a long time. I'm a rookie. I haven't been here as long as you, but I might be. I'm not sure what your future holds.

But Bill 40, a labour bill. Bill 80, a labour bill. Why can't we deal with bills that get the economy going? Why can't we deal with issues, why can't we deal with bills that create jobs, that create economic development, instead of this Premier travelling off to China? And why did he go? Because he had to shut down 13 offices around the world at a time when we should be trying to expand our economic base, when we should be trying to—

Interjection: Spend, spend, spend.

Mr Mahoney: It's not "spend." You make money off of that. That's what you don't understand.

Interjection.

Mr Mahoney: No, you got a fax machine and you send the Premier off to have tea with the prime minister

in Beijing, and you think that's going to be economic development and growth.

So what do you do? You shut everything down around the world and then you focus on payback time for all your organized labour buddies. Make no mistake: This is not for the rank and file. This bill and Bill 40 and Bill 80, one of the most divisive bills I've ever seen in the construction trades, who are still upset about it—in fact, the parliamentary assistant will know that the Canadian Federation of Labour is still upset. They're coming to me saying, "When you guys are the government, are you going to roll back Bill 80?" They're still upset with what this government has done: interfering in the democratic process, telling organized labour how they should be running things. So they bring in Bill 80.

Then they bring in Bill 117. What was that? That was clearly a payoff because of the social contract, the thousands of new members you put into OPSEU. You said to Mr Upshaw, "We're going to hammer you on this thing," but then you gave him thousands of new members. What does a new member mean to a labour leader? What it means is money and expansion of the base. A bigger union means more power. The legacy of this government, aside from the havoc you have wreaked upon the financial stability of this province, aside from the fact that you have taken—

Mr Villeneuve: Write 91 on it, Mr Speaker.

Mr Mahoney: It relates to 91, because all they can do is bring in labour bills. There was a sector that was exempt under Bill 40, under the Labour Relations Act. It was the agricultural sector. And it's interesting to me how agricultural workers are exempt from workers' compensation.

Interjection: No, they're not.

Mr Mahoney: Certainly they are. They're exempt from workers' compensation. Why would you exempt them? You exempt them because you recognize the uniqueness of the worker in agriculture, the seasonality, the climate problems. We've got eight months of winter and four months of bad skating in this country. It's pretty tough to farm in a climate like that.

Hon Mr Pouliot: Eight months of winter in Mississauga?

Mr Mahoney: You've got about eight months of political life left, with all due respect, unless you decide you want to go a little earlier, and we would be delighted to accommodate you. In fact, I have a sneaking suspicion that the public out there would really like to see an early election. It was because of an early election that you wound up in government. I have a sneaking suspicion they might like an early election again.

So what does this government do? They go through Bill 40, Bill 80, Bill 117, Bill 157, another labour bill, a private member's bill that carried.

Interjection: Speak to Bill 91.

Mr Mahoney: They all relate, because is this a labour bill or an agricultural bill? I'm told by the Minister of Labour that he's going to hold it close to his bosom and it will remain under his purview and will remain as a labour bill under this government, yet the Minister of

Agriculture seems to be the one who is carrying it.

On Thursday of this week another labour bill, amendments to the Workers' Compensation Board, will be introduced, and we'll have a debate on that this coming Thursday.

My point is that whether it is Bill 91 or any of the other labour bills, this government is totally preoccupied by a requirement to continue to tinker with the relationship between management and labour, whether it's in the steel industry, whether it's in the auto industry or now whether it's in the agricultural industry.

1720

I heard the member for Huron saying that this bill doesn't force anyone to join anything. Well, what does Bill 40 do? Why don't you just exempt them from Bill 40?

The fact is that it tilts the playing field in such a way that it allows organized labour to move in quicker and easier, without even such a thing as a secret ballot. Imagine, in 1994, any government, duly elected in a democratic society, supporting legislation that does not require a secret ballot to organize and then telling us that that's not exactly what you're going to do in Bill 91, to stand there and tell us that this doesn't force anyone to join a union.

Of course it doesn't. As draconian as you have been in your term in office, you know you couldn't possibly get away with a bill that said overtly, "You are forced to join this union"—except the Crown Employees Collective Bargaining Act, CECBA. Bill 117 actually did that, forced civil servants to join a union without giving them a choice. They did it with the civil servants because they had to shut Fred Upshaw up, and it seems to have worked. You don't hear him yelling too much any more about the social contract or the problems with this government. I don't see him on the 6 o'clock news any more. I guess it worked. It's payback time. That's the way this government wants to do it.

The question today from the member for S-D-G & East Grenville—boy, that's a long name, but I'm remembering it—to the Minister of Labour was, I believe, "Who asked for Bill 91?" Is that basically what you said?

Mrs Fawcett: The same question I asked two weeks ago.

Mr Mahoney: The member for Northumberland asked that question two weeks ago and got the same answer. It wasn't an answer at all. Well, I can answer it for you: Gord Wilson, the Ontario Federation of Labour.

Interjection.

Mr Mahoney: Well, he asked me if I was going to support it, if I would support it before it was Bill 91.

And this so-called task force that was set up—I mean, you guys just can't get anything right. Here's the task force: Three representatives of farm employers, one representative from farm workers—imagine putting in place a piece of legislation that impacts directly on farm workers and only putting one farm worker representative on a six-person panel—and who were the other two? Who do you think? Organized labour, the OFL.

So here you go. You want to know who wants this bill? It's organized labour who wants this bill. Why, I ask you, would they want it? What might be the possible motivation for organized labour to request a tool to organize in agriculture? Might they want to organize? Silly me. Might they want to expand the membership of the Ontario Federation of Labour to include agricultural workers? Why else would they want it?

Then the member stands up and says that's not what it's about. Well, I'm sorry. I hate to be so cynical or to be looking for clandestine motives within this government, but I have yet to see any that are pristine, I have yet to see any that are based on common sense and I have certainly yet to see any that are based on any kind of consensus agreement.

Mr Villeneuve: Common sense? I'm glad you're using the word a lot.

Mr Mahoney: Oh, the nut sense. I don't know why they call it "common sense," because it's not very common, let me tell you that. You don't have a clue with this phony 30% tax cut and 20% cost cutting. I don't know what you guys are smoking. It's truly unbelievable where you're coming from. But it's okay because there is no credibility. I can tell you that you have certainly moved and have stopped Reg Gosse, stopped the provincial Reform Party from organizing. I want you to know that I sent them a financial contribution to try to get them to organize, just to help you out.

Mr Villeneuve: Why would you do that?

Mr Mahoney: Just to help out the Tories.

Mr Villeneuve: You sent money to Reform?

Mr Mahoney: Well, I didn't really, but I certainly thought about doing it.

Mr Cleary: On a point of order, Mr Speaker: We have here a very fine speech, and I think there should be a quorum in this House.

The Deputy Speaker: Would you please check if there is a quorum.

Acting Clerk Assistant (Mr Franco Carrozza): Speaker, a quorum is not present.

The Deputy Speaker ordered the bells rung.

Acting Clerk Assistant: Speaker, a quorum is present.

The Deputy Speaker: The member for Mississauga West, you have the floor.

Mr Mahoney: The members opposite and to my left, physically anyway, are asking me what my answer to Gord Wilson was when Gord came and asked me if I would support the bill. I said very clearly: "If you're telling me there's a consensus, if you're telling me that this task force has come along and arrived at an agreement with the Minister of Labour, I don't personally have a big problem. I want to check with my agricultural critics and find out if there are problems."

I did that and found out, lo and behold, not only was there not a consensus, not only had the task force not arrived at any kind of an agreement with the Minister of Labour, but there were at least 11 major points of disagreement. I thought, how can this happen? How can

the Minister of Labour stand up in this place and say that he has an agreement based on the efforts of a task force when you don't, you simply don't?

What are the dynamics of this? We have members who go out to meetings in the farming community, and the farmers stand up and talk to our members from Cornwall and Northumberland and they say: "We don't agree with Bill 91. We want an exemption to Bill 40. Just put back in the exemption and leave us alone and let us farm and survive. Stop threatening unionization of the family farm. Recognize that we're unique in an industrial sense, in a production sense; that we have problems that other industries don't have; that our margins are low; that we're more concerned about surviving as a business than we are about some cockamammy bill that's going to entrench labour negotiation rights for workers in the farm industry. Leave us alone."

I said, "Gord Wilson, if you're telling me that all that's taken place, I would support it." It hasn't, it simply hasn't; that's the fundamental problem. I don't think that the Minister of Labour is a dishonest man, and I certainly don't think the Minister of Agriculture is a dishonest man. So who's telling who what? Where, when and how is this happening? Could it be that the farmers are scared to death of you and they at least think that Bill 91 is watered down enough that they can somehow duck through the loopholes and dodge the impact and if they make too much of a fuss you're liable to bring in a bill that will put them out of business? Could it possibly be? This is nothing more than pandering to Gord Wilson and the OFL, and we will be fighting this bill right to the end.

1730

The Speaker: I thank the honourable member for Mississauga West for his contribution to the debate and ask for any questions and/or comments.

Mr Villeneuve: To the honourable member for Mississauga West: a very interesting speech. I now know why, on the day the minister announced this particular bill, which is an addendum to Bill 40, he replied on behalf of his party and really said nothing. It was a confusing response, because he simply looked and acted much like the leader of the Liberal Party here in Ontario, who had said that indeed we needed labour reform but we didn't need it when it came in.

We made sure, and I made sure, in reply to Bill 91 the day it was brought in for first reading, that the Progressive Conservative Party of Ontario would repeal Bill 91 and would also repeal Bill 40, because these are not needed. When we compared them and when the government compared them to labour legislation in the province of Quebec, they became a major irritant, because the twin to Bill 40 in the province of Quebec has created major problems for labour unions. It's created different areas in the province of Quebec. It's a major problem.

Gord Wilson quite obviously has a lot of impact on the member for Mississauga West. It was interesting whenever the "Me too" syndrome came in, because the Tories were there. The Liberals are now where we've been all along on this one and on many other issues. It was interesting to see that the member for Mississauga West

commented almost as much on the Common Sense Revolution as he did on Bill 91. We had to keep reminding him that we were on Bill 91.

I'm glad that we've got their attention now. They are now sitting up and taking note and saying, "Me too," to many of the Tory policies that have come out in the last month, in the last year. Continue saying, "Me too." As long as you're behind us, you're on the right track.

Mr Perruzza: Just to respond very briefly to a couple of the comments that were made, the member came in here and he talked about how Gord Wilson of the Ontario Federation of Labour calls him up as the critic for Labour and says, "If you guys don't make a big deal about this, then this bill is going to be fine, it's going to go through, there aren't going to be any problems." Then he proceeds to talk throughout his whole speech about how, because Gord Wilson and the Ontario Federation of Labour have called him and asked him to support the bill, it's all bad and it should be plundered and it shouldn't proceed and it shouldn't go anywhere.

Not once did I hear the member talk about the people who actually drive the tractors, the people who actually plow the earth, the people who actually get out there in the field with their muddy boots on and do the actual work, and the fact that they are underpaid, the fact that they have no benefits, the fact that in many cases they have very bad working conditions and, quite frankly, have to work very, very hard.

I find it in some cases very offensive that a lot of people come in here and talk about all of the guys making \$100,000 a year and how they're okay, but when it comes to workers, when it comes to those people who make their living in blue jeans and in work boots and have no benefits and make wages they can't live off, nobody at that point cares and nobody talks about them. That's wrong.

Mr Mills: I'm pleased to rise in the couple of minutes I've got here. I've probably spent more time actually milking cows and plowing the land, both in the United Kingdom and Canada, than most people in this House. This is what I came to Canada to do.

I was a farmer in England. I can tell you that I belonged to the farm workers' union in England. I helped organize that in the area where I lived. I came to Canada and, believe me, did I ever get a wake-up call.

I had an arrangement with the farmer I was working for. He said to me, "You can have every other Sunday afternoon off." On the Sunday afternoon that was mine off, I looked across to where he was and I saw him getting in his car; he was driving off. The cows had to be milked, although it wasn't my time to do that. When this gentleman came back the next day, I said to him: "Excuse me, the arrangement we had was that every other Sunday I get off and this Sunday, yesterday, was my Sunday." He said: "You've got it muddled up, brother. It was my Sunday." It was a complete fabrication and a lie.

I tell you that you need unions in farming. I was never treated on a farm so despicably in my life than when I came to Canada in 1957. I was harassed. I got up in the morning. They shined the lights in my bedroom to get me

up. I lived a nightmare until I escaped that regime. Having come from a unionized farm in England to Canada, I can tell you, Mr Speaker, I still bear the scars of that today and it's almost 40 years ago. I still remember that harassment. I still remember how I was treated and it's disgusting.

Mr Cleary: Poor Gord.

Mr Mills: It's all right for you to say no. You don't know nothing. I tell you I lived those times and I was ashamed of it.

Mr Cleary: First of all, I'd like to thank my colleague for a very fine speech. I think he touched on the most important issue facing all of Ontario: the economy. It's not Bill 91.

I've had many discussions with my colleague about Bill 91 and agriculture in general. He has also said he is familiar with agriculture, because he and his sons have worked on the farm and he knows there are many issues on the farm. You have to plan your crop rotation and do your bookkeeping; you're responsible for the health and the welfare of your animals; you're a veterinarian; you're your own maintenance person; you do your own welding.

He touched on an issue where Gord Wilson had called him, and I know he and our caucus are very concerned about this bill. We're concerned about the suppliers that may supply the farm and the farming community, if they unionize, and farmers cannot get the repairs they need to do their maintenance on their machinery. They're concerned about if they cannot get their feed and their fertilizers.

There are many concerns. It boils down to, and the member put it well—he said, "Who is asking for this bill?" We've all asked that question many times. We're all asking, "Who wants Bill 91?" I wish some of our NDP colleagues would stand up and answer our question, "Who wants Bill 91?"

The Speaker: The honourable member for Mississauga West has up to two minutes for his reply.

Mr Mahoney: A number of my colleagues have suggested that I made a statement about workers' compensation being exempt, and I just want to clarify the record. My understanding is that the family farm, which is primarily what I'm concerned about, the impact on the family farm with regard to this labour legislation or through contracting out—exemptions are acquired from WCB. I well understand that the large farm operations pay WCB premiums.

I want to just make a very brief comment about the member for Durham East's remarks. I think for the first time on this side of the House we heard the truth from the member for Durham East.

Mr Mills: It's true.

Mr Mahoney: I believe what you're telling me about the working conditions you found in the 1950s when you arrived here. I say to the member for Durham East, however, this is the 1990s and I think there's been a lot of changes which the member would probably realize. But I think you pointed out what I have been saying about Bill 91, that this is clearly an attempt to unionize the family farm in this province.

Interjection.

Mr Mahoney: I think it is. I mentioned Gord Wilson a number of times in my speech. I don't think Gord Wilson is being dishonest. It's Gord Wilson's job to represent the Ontario Federation of Labour, and part of the responsibility in that area would be to expand the base of the OFL to make it stronger, to make it more powerful, to make government listen. I think Gord Wilson is doing his job.

The member for Durham East has clearly said that he believes we need unions in agriculture. I heard you say it just moments ago in this place.

Mr Mills: We do.

Mr Mahoney: I wish the Minister of Agriculture would say the same thing instead of playing this hidden agenda game and trying to pretend that you're out there to help somebody who hasn't even asked for your help. You want to organize the family farm, and if you do, you're going to destroy it.

1740

The Speaker: Is there further debate?

Mr Leo Jordan (Lanark-Renfrew): I'm pleased to join my colleague from S-D-G & East Grenville to speak on the second reading of Bill 91. On previous occasions I have stated in this House that the wellbeing and success of our family farms reflects the overall prosperity of our province. I have also stated that we as legislators must be diligent in our promotion and support of the family farm.

With these principles in mind, it saddens me to see this government introduce a bill that will hurt the family farm and hence the economy of our province. In the pursuit of their own socialist, labour-driven agenda, the NDP has put forth a law that will unionize the family farm. This measure will drive up the cost of farming in Ontario and will bring down the number of farms and farm workers.

It is a pitiful irony that the pretence for this bill is to enhance the rights of farm workers when in fact unionization will take workers off the farm. It is ironic that the government would claim that the agricultural sector wants to unionize when farmers, large and small, have said that this law will make a bad situation worse.

This bill was not born of necessity, but out of ideology. In another attempt to appease a special-interest group, namely, big labour, the hard-working majority will once again suffer.

Bill 91 will kill jobs. It should be obvious to this government that any legislation that places artificial upward pressure on wages will result in less jobs. By encouraging farm workers to unionize, the government is placing an undue burden on Ontario's struggling farmers. Wages will increase and workers will be laid off. Farmers will be forced to do more with less or shut down.

This bill, not unlike Bill 40, transfers power from the owner of the farm to the worker. Although the bill prohibits strikes and shutdowns, it permits the government to step in and dictate higher wages. This is as good as a shutdown because family farm families simply cannot afford to pay any more to the workers.

The only difference between this legislation and Bill

40 is the tactic of negotiation. Instead of threatening the employer with a strike, the employees simply threaten to give notice to the Ministry of Labour. At the request of either party, the Minister of Labour appoints a conciliation officer. If the conciliation officer reports that an agreement cannot be reached, the minister directs the parties to choose a selector. If the employer does not comply, the ministry will make the appointment. The selector will then settle by accepting the final offer.

Through a long-drawn-out process we have the same end result as if Bill 40 applied to farms. The power to set wages and run your own operation is taken away. The employees can threaten to use this process and it will be just as effective as a strike threat. Many farmers will be unable to afford to jump through these bureaucratic hoops. They will have little choice but to sell their farms to larger operators or to developers.

If the farmer is still able to operate under this legislation, he will naturally react to the higher wages by mechanizing his farm, thereby reducing the need for the manual labour. Again, the result is less jobs. Unfortunately, this is the kind of policy we have come to expect from this government, an approach that throws money and bureaucrats at Ontario's business, crowding out jobs and investments.

This government just doesn't seem to understand the needs of Ontarians. In every sector of the economy, this is a time when we need to use a commonsense approach to governing. Bill 91 is not common sense. It is nonsense, absolute nonsense, and like Bill 40 it's another piece of legislation a Mike Harris government will repeal at the first opportunity.

Through our Common Sense Revolution plan, our party will allow small business to prosper again in Ontario. It was suggested earlier by a member of the opposition that the Common Sense Revolution did not take agriculture into account. Let me set the member straight. When Ontarians get a 30% tax cut from a Mike Harris government, they will have more money to spend on food.

Mr White: On a point of order, Mr Speaker: The member opposite has benefited in his riding more than any other member in this whole House. I'm wondering if he would tell us what he would talk about—

The Speaker: The member does not have a point of order. The member for Lanark-Renfrew.

Mr Jordan: I'm sorry, Mr Speaker. I didn't hear the question.

As I was saying earlier, when Ontarians get their 30% tax cut from a Mike Harris government, they will have more money to spend on food. When we eliminate red tape and costs, we will create an environment where small business and farms can grow. These effects will combine to create more jobs in agriculture and a healthy economy in Ontario.

Farming is a flexible industry, but this government is imposing an inflexible ideology that will be unforgiving. Farming is flexible in that the industry must constantly adapt to changes in the weather and changes in the environment. In a global economy, farmers must also be

able to contend with volatile prices and a much lower margin of profit than is enjoyed in other sectors. That is why this bill is unsuitable for farmers, very unsuitable. At no time did you ever see young farmers out in front of this Legislature demanding, of the Minister of Labour, labour organization on the farm—never. Never did you see a farmer out there; he has more common sense.

Another aspect that shows just how out of touch this bill is is the fact that it is being carried out by the Minister of Labour. Where's the Minister of Agriculture? As I stated during the first debate on this bill, farmers I have spoken to would much prefer that the Minister of Agriculture handle this legislation. A minister who has worked hard with the farmer, who has come to understand the farmer, is the minister who should be handling this bill if there has to be such a bill. I must also add that they would rather not see the legislation at all. As I said before, to save the time in this Legislature and the cost of doing business here, just withdraw this legislation completely and let the farmers relax and go on with their business as they are doing today. The NDP and its bureaucrats think that Big Brother knows better the interests of the farmer than the farmer himself.

I, Mike Harris and the Conservative Party realize that the farmer knows his business better than anyone else. He knows his working conditions. He knows the markets. He knows his annual income. He budgets well. He does not budget a deficit; he budgets to spend relative to his income. That is what stabilizes the farm, not organizing the labour.

Mr Perruzza: Oh, he has no mortgage, eh? Do we have to listen to this stuff?

1750

Mr Jordan: I would ask all members of this House to vote against this legislation.

The member across asks, why should he have to listen to this kind of talk about a union on a family farm? I don't know if the member would recognize a farm if he were to take a drive outside the city.

Mr Perruzza: No, you just said farmers don't have any debts.

The Speaker: Order, the member for Downsview.

Mr Jordan: People don't realize how the agricultural industry is really the basis of industry in the province of Ontario. There's one thing about the farm industry: As the farmer budgets his income, if there is room to upgrade equipment, to modernize, he's the first one to do it. Ontario enjoys the most efficient family farms across Canada, and I might say across North America.

I might relate to the dairy industry for a minute, because during the free trade talks, there was a lot of discussion about the dairy industry in Canada, the dairy industry in Ontario. More than 40,000 farmers showed up in Ottawa to try to protect themselves from the legislation that was going on at that time. Not able to do that, they are now subject to tariffs over a five-year period, which will gradually be reduced. But the fear you might expect to be out there in that family farm isn't, because, as I said earlier, they know their business, they are efficient and they can compete. They're not concerned about our

neighbours to the south being more competitive. They are ready to compete with them, regardless of the tariffs.

I am concerned that the organization of the family farm is going to mean a change in the whole attitude, in the giving of time, in the interest that really comes from the heart in that business. It's not like another business. There is no one who would run a business like a family farm that starts at 6 in the morning and perhaps finishes at midnight, many times.

Mr Villeneuve: Never finishes.

Mr Jordan: As my friend our agricultural critic says, it really never finishes, because you need 24-hour attendance. You need a maintenance man, you need an accountant, you need a general farm manager. These family farms have built themselves like a family unit. They're the strongest cornerstone in any municipality. You go to the family farm and find the family involved: the male usually managing the operation, with the wife perhaps the accountant or managing the books, and the children involved in many aspects of the farm, whether it's on the maintenance of the machinery in the buildings or the maintenance of the machinery in the fields.

When we use the words "family farm," it means more than family farm; it means the whole composition of the industry. It's the family in the true sense of the word, not as the word is trying to be deteriorated today into meaning something else. It's the true word of the family working together that makes that industry a prosperous industry and, in most cases, gives great stability and understanding to the people who come from the rural area.

If these people sitting across don't understand farms or why they need one, some day when there's a food shortage, they can think back to the day they introduced labour legislation that brought hardship to the farms, that brought high prices to food, that brought scarcity of food supply, that turned family farms into large economic setups which are really not as people-oriented as the smaller farm and the family farm I'm attempting to describe this afternoon.

The Minister of Labour stated the other day that he has a brother, I believe, near Hamilton who runs a beef operation. I would suggest to him that he take a drive over there and sit down and have a visit with him and get some firsthand information from him on why he has been successful in that farm operation. I'm sure he will explain to him his fear of seeing the family farm disintegrated by the unions.

Today, I hope the government is not really as bored as some would like to say it is. I know there are many over there who understand a family farm operation.

Mr Mills: I've spent more time on the farm than you have in pyjamas.

Mr Jordan: I wondered why you were such a good member.

Mr Bill Murdoch (Grey-Owen Sound): On a point of order, Mr Speaker: I don't believe there's a quorum here to listen to this.

The Speaker: Would the table officers determine if a quorum is present.

Clerk Assistant and Clerk of Committees: A quorum is present, Speaker.

The Speaker: A quorum being present, the member for Lanark-Renfrew may resume his speech.

Mr Jordan: I would think that in the last two weeks we've seen the members of the government begin to start to think as individual members representing their ridings. I see some of them sitting over here to my right today who had what it takes to vote on an issue as they knew their conscience and their riding would want them to do.

I know there are many members over here who are familiar with a family farm operation who can go back to their roots, go back to their relatives and their friends and ask them serious questions about organized labour on the family farm. Who are you going to organize—the farmer's wife, the daughter, the children, the sons, the in-laws? These are usually the real core of the employees on that farm. As the farms grow larger, of course, then there's other help required, including, as I said earlier, maintenance staff and planning staff so that the operation is sound financially and not run as we tend to run governments. We just keep on spending and we don't seem to be concerned that the money we're spending we just haven't got.

I think that is a good lesson generally speaking that you will learn from rural Ontario. They know where the money is coming from before they allot it to any upgrade of equipment or to enlargement by purchasing more land. It certainly makes good business to borrow money or mortgage for more land, but to borrow money and mortgage for the operation of a farm is a very different mode of operation and one that you have to be very careful of, because as I said earlier, the financial status of the farm is very dependent on so many things: dependent on the health of the people who are running it, dependent on the weather, dependent on the markets for whatever product they have. There's a very large swing in the market.

I would like to close with a real, sincere request to the Minister of Labour to just please withdraw this bill.

The Speaker: I thank the honourable member for his contribution to the debate.

Mr Jordan: I would move adjournment of the debate.

The Speaker: The member may realize that he doesn't have to at this point. We normally adjourn at 6 o'clock. There is time for questions and comments if the member has completed his contribution.

Mrs Fawcett: The member for Lanark-Renfrew made certainly a few good comments in opposition to this bill. I think that is something that this party agrees with. However, I would like to just say, in reference to the Mike Harris plan which includes this \$6-billion spending cut, it's rather interesting that they plan not to cut education, law enforcement and health care. Mike Harris says that with this wonderful plan, he will balance the budget in four years without touching spending on health care, policing and education. That accounts for about 60% of the total provincial budget.

These cuts have to come from someplace. As a result, to meet the target, I would say that on average, 40% is

going to have to come from ministries such as Agriculture, Food and Rural Affairs, Natural Resources, Environment and Energy, Northern Development and Mines, and Culture, Tourism and Recreation. So I believe their plan will cut deeply into agriculture. We in the Liberal Party truly believe that agriculture and food must be a priority.

Mr Jordan: What's that got to do with the bill?

Mrs Fawcett: Well, you brought it up in your little talk, sir.

We are definitely committed to agriculture and we believe that Agriculture, Food and Rural Affairs should assist farmers and not hamper farmers to operate on a daily basis. Bill 91 must go, it has to go, and the agricul-

tural exemption has to be put back into the Labour Relations Act. It is just one more thing that will really hamper farmers.

The Speaker: The member's time has expired. If there are further questions and/or comments, we will hold them until the next time this bill is called back. If there are not, then I will allow the member for Lanark-Renfrew—there are further questions and comments?

Mr Villeneuve: Yes.

The Speaker: The House stands adjourned, it now being 6 of the clock, until 1:30 of the clock tomorrow afternoon.

The House adjourned at 1802.

CONTENTS

Monday 30 May 1994

MEMBERS' STATEMENTS

Ontario's credit rating	
Mr Kwinter	6477
Victoria county	
Mr Hodgson	6477
Oak Ridges moraine	
Mr O'Connor	6477
Teachers of the Year	
Mr Miclash	6477
Diabetes fund-raising event	
Mrs Witmer	6478
Child and family services	
Mr Cooper	6478
Air ambulance service	
Mrs Sullivan	6478
Bicentennial of Bastard and South Burgess township	
Mr Runciman	6479
National Access Awareness Week	
Mr Wood	6479

STATEMENTS BY THE MINISTRY AND RESPONSES

Metropolitan Toronto Housing Authority	
Ms Gigantes	6479
Mr Cordiano	6480
Mr Stockwell	6481

ORAL QUESTIONS

Ministers' comments	
Mr Conway	6482
Mr Laughren	6482
Ontario Hydro projects	
Mr Conway	6483
Mr Wildman	6483
Labour legislation	
Mrs Witmer	6484
Mr Mackenzie	6484
Legal aid	
Mr Harris	6485
Mr Boyd	6485
Emergency services	
Mr Elston	6486
Mrs Grier	6486
Ontario's credit rating	
Mr Harris	6486
Mr Laughren	6486

Sale of land

Mr Hayes	6487
Mr Pouliot	6487
Ferry service fees	
Mr O'Neil	6487
Mr Pouliot	6487
Agricultural labour policy	
Mr Villeneuve	6488
Mr Mackenzie	6488
Hospital services	
Mrs MacKinnon	6488
Mrs Grier	6488
Hospital financing	
Mr Bradley	6489
Mrs Grier	6489
Highway tolls	
Mr Sterling	6489
Mr Pouliot	6489

MOTIONS

Private members' public business	
Mr Charlton	6490
Agreed to	6490

PETITIONS

Tax increases	
Mr Sorbara	6490
Firearms safety	
Mr Jordan	6490
Mr Villeneuve	6492
Mr Mills	6493
Sexual orientation	
Mr North	6491
Mr Cooper	6492
Tobacco packaging	
Mr O'Connor	6491
Health insurance	
Mrs Sullivan	6491
Long-term care	
Mrs Cunningham	6491
Highway interchange	
Mrs MacKinnon	6492
Kettle Island bridge	
Mr Morin	6492
Junior kindergarten	
Mr Carr	6492
Casino gambling	
Mr Kwinter	6492
Gambling	
Mr Ruprecht	6493

REPORTS BY COMMITTEES

Standing committee on the Legislative Assembly, Mr Hansen	
Mr Hansen	6493
Debate adjourned	6494

FIRST READINGS

Oaktown Property Management Limited Act, 1994, Bill Pr111, Ms Akande	
Ms Akande	6494
Agreed to	6494
City of Ottawa Act, 1994, Bill Pr97, Mr Grandmaitre	
Mr Grandmaitre	6494
Agreed to	6494
City of Ottawa Act, 1994, Bill Pr98, Mr Grandmaitre	
Mr Grandmaitre	6494
Agreed to	6494
County of Victoria Act, 1994, Bill Pr106, Mr Hodgson	
Mr Hodgson	6494
Agreed to	6494

SECOND READINGS

Agricultural Labour Relations Act, 1993, Bill 91, Mr Mackenzie	
Mr Villeneuve	6494, 6499, 6503, 6509
Mrs Fawcett	6498, 6512
Mr Klopp	6498, 6499, 6504
Mr Cleary	6499, 6503, 6510
Mrs MacKinnon	6499
Mr Sutherland	6504
Mr Perruzza	6504, 6509
Mr Mahoney	6504, 6510
Mr Mills	6509
Mr Jordan	6510
Debate deemed adjourned	6513

OTHER BUSINESS

Legislative pages	
The Speaker	6479
Members' privileges	
The Speaker	6479
Visitors	
The Speaker	6490
Written questions	
Mrs Sullivan	6493
The Speaker	6493

TABLE DES MATIÈRES

Lundi 30 mai 1994

DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES	
Commission de logement de la Communauté urbaine de Toronto	
M ^{me} Gigantes	6480

DEUXIÈME LECTURE	
Loi de 1993 sur les relations de travail dans l'agriculture, projet de loi 91, M. Mackenzie	
Débat ajourné	6513

120N
X1
-023

Government
Publications



No. 135

N° 135

ISSN 1180-2987

Legislative Assembly of Ontario

Third Session, 35th Parliament

Assemblée législative de l'Ontario

Troisième session, 35^e législature

Official Report of Debates (Hansard)

Tuesday 31 May 1994

Journal des débats (Hansard)

Mardi 31 mai 1994



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers

50th anniversary

1944–1994

50^e anniversaire

Hansard is 50

Hansard reporting of complete sessions of the Legislative Assembly of Ontario began on 23 February 1944 with the 21st Parliament. A commemorative display may be viewed on the main floor of the Legislative Building.

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats a 50 ans

Le reportage des sessions intégrales de l'Assemblée législative de l'Ontario, fait par le Journal des débats, a commencé le 23 février 1944 avec la 21^e législature. Une exposition pour marquer cet événement est étalée au premier étage de l'Édifice du Parlement.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 31 May 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 31 mai 1994

The House met at 1333.
Prayers.

MEMBERS' STATEMENTS CULTURAL CELEBRATIONS

Mr John C. Cleary (Cornwall): I am pleased to rise today to invite the public and members to visit Cornwall over the next month to enjoy the festivities of French Week and the Multicultural Festival.

Every year, francophones celebrate their heritage and achievements in Ontario during the parade, dances and other cultural activities. This year's theme focuses on the importance of the family unit. I hope that entire families will be taking part in the festivities from June 18 to 25.

Franco-Ontarians are a strong and proud group in my riding and I am happy to be able to congratulate them and wish them all the best for a successful 32nd annual celebration.

I would like to also highlight the 12th annual Multicultural Festival, scheduled for June 26 of this year. The festival is a showcase of music, dance and international cuisine, reflecting the importance of all peoples who have helped make Canada the great nation that it is today.

With generous sponsorship from local industry and service clubs, there will be participation from 24 groups including delegations from Israel, Vietnam, Latin America, Italy and many others.

The organizers are expecting 10,000 visitors this year. I invite the public and all members to consider joining in the fun of both cultural celebrations.

PICKERING NUCLEAR GENERATING STATION

Mr Leo Jordan (Lanark-Renfrew): I rise today to acknowledge an extraordinary achievement for Canadian nuclear technology. On April 10, Pickering unit 7 broke the world record for continuous on-line operation of a nuclear generator.

Unit 7 broke the old record of 713 days set by Oldbury 1, a British nuclear reactor. The Pickering unit has not only surpassed a world record, but will register a new and prominent accomplishment in the annals of international history. In fact, unit 7 is performing so well that it is not scheduled to be taken off-line for yet another four months.

This success is attributed to both Canada's leading-edge technology in nuclear generation and the hardworking men and women who see to the safe day-to-day operation of this unit.

I commend the employees at the Pickering station for demonstrating a superb commitment to team work, to safety and to excellence. I think all members will be pleased to know that no maintenance or safety measures

were spared in pursuit of this performance record.

In closing, I ask every member of this House to recognize this accomplishment and to support the world's greatest nuclear generating system.

MENTAL HEALTH SERVICES

Mr Rosario Marchese (Fort York): I oppose the construction of a medium-security unit at Queen Street Mental Health Centre.

I acknowledge the shortage of secure facilities for people with psychiatric disabilities who have run afoul of the law. I also acknowledge that the Queen Street Mental Health Centre, with nearly 500 treatment beds and significant outpatient services, is a long-standing and essential medical service.

However, I can find no excuse for the way in which community consultation has been handled. No one told the vast majority of residents and elected officials about this facility. In fact, the Toronto Sun is now the primary source of information for the community. We are told several community meetings were held. These, however, must have been very quiet meetings. One straightforward letter about this project filled a gymnasium with angry local residents.

The community's reaction to the complete lack of consultation has been a definite no to the project.

In the absence of consultation, the proper response of my colleague Minister Grier must be to halt the construction of the unit, engage in a meaningful consultation and listen to what the community recommends.

GAMES FOR THE DISABLED

Mr David Ramsay (Timiskaming): I have more pleasant news to report to the House. I had the pleasure, this Saturday past, to attend the north and eastern regional games for the disabled that were held in New Liskeard at the high school, école secondaire Sainte-Marie. It was a very cold and brisk day in New Liskeard and high winds did hamper the athletes, but it was a very successful event. We had 80 to 90 athletes from all across eastern and northern Ontario come to New Liskeard and participate.

There were some extraordinary achievements accomplished this weekend in New Liskeard in regard to that. Two I would like to highlight: one ex-resident of Timiskaming and one present constituent of mine.

The first is Martin Larocque, who was a resident of Timiskaming and has now moved from North Bay to Toronto, works out of the Phoenix Track Club here in Toronto, and by the way, is practising for the 1996 Olympics in Atlanta. He won the 800-metre race, the 400-metre race and the 200-metre race.

Also, from the small village of Thornloe in my riding

of Timiskaming, Adam Miller won the 1,500-metre race and the shot-put. He was also runner-up in the 200-, 400- and 800-metre races.

It was a joy to see all these people up in New Liskeard and very keen to participate. It was a great day for all. Many of them are going to go on to the All-Ontarians in Windsor in a couple of weeks.

1340

BOATING SAFETY

Mr Allan K. McLean (Simcoe East): My statement concerns the need to promote boating safety and education on Ontario's waterways.

Last year I reintroduced private member's Bill 41, An Act to provide for the Certification of Motor Boat Operators. It is aimed at increasing public awareness of the need for boater safety and education courses. I am an avid boater and I know there is a real problem with careless and uninformed operation of motor boats.

I regret that both the Liberal and NDP governments have chosen to jeopardize the safety of boaters in Ontario by failing to recognize the importance of my bill. However, I am gratified that there are organizations that realize boating need not be dangerous, provided the operator acquires basic knowledge and takes reasonable precautions.

The Boat Pro Manual is a joint publication of the Canadian Power and Sail Squadrons and the Canadian Marine Manufacturers Association. The \$10 manual is designed to present boating information in an easy format, recognizing that safety on the water is the prime factor. Copies can be obtained by calling, toll free, 1-800-268-3579.

The Orillia and District Chamber of Commerce is sponsoring a Marine Safety Awareness Show at Tudhope Park on June 11 and 12. Police and marine safety agencies will be on hand to provide information on everything you need to know—before you need to know it. I commend these organizations for joining me in trying to put an end to needless recreational boating accidents. Injuries and deaths that occur on our popular waterways need not happen, but this Marine Safety Awareness Show will, I hope, help that.

SPECIAL ABILITY RIDING INSTITUTE

Mrs Irene Mathysen (Middlesex): I brought in one of my sneakers to show you my new fully automatic, self-tying electric shoelaces and to tell you I bought them at a SARI fund-raiser on May 15. SARI, the Special Ability Riding Institute, located at Route 1, Arva, Ontario, in my riding, is a non-profit organization which was formed in 1978 to provide instruction in horseback riding and driving to persons with physical, developmental, psychological or learning disabilities.

While participation in some sports may be denied to people with disabilities, horseback riding can be adapted appropriately in most cases. People participating in this sport have reported many benefits, such as increased balance and coordination, improved confidence and a sense of achievement.

Applicants, who are referred by their doctors, may be any age. Lessons are designed to meet their specific

needs, and instructors are fully trained according to standards set by the Canadian Therapeutic Riding Association. Volunteers are trained to help in classes and are an essential part of this most beneficial program.

SARI relies on the support of individuals and groups in order to raise operating funds, so I'd like to tell members here, and anyone interested, that they need not be consumed by jealousy regarding my electric shoelaces. They can have a pair of laces for a mere \$4, in any number of shocking colours, by contacting SARI at 666-1123 at Route 1, Arva, in my riding.

ONTARIO PROVINCIAL POLICE

Mr Sean G. Conway (Renfrew North): In recent weeks I've had the pleasure to attend at a couple of OPP community policing launches in my constituency in eastern Ontario, last week in the village of Beachburg and a few weeks before that up in Algonquin Park. I want to commend the communities that have been involved with the Ontario Provincial Police in providing a very important service that brings the face of our provincial police to small communities in my part of the province.

I want to say that, as one member in the Legislature, I have been finding particularly in my part of the province, and I know other members have from their point of view, a growing concern about public safety not just in large communities like where I live in the city of Pembroke, but in smaller communities like Beachburg and Foresters Falls and Cobden and many other places across the eastern part of the province and the rest of Ontario.

I want to congratulate the OPP for bringing this initiative to the streets of small towns and rural townships, because I think it is important that we in this Legislature understand the pressures under which the Ontario Provincial Police are now operating. I'm hearing in my constituency, and my colleagues elsewhere, in southwestern, in northern, elsewhere in central and eastern Ontario, are hearing alarming reports about the constraints with which the OPP is operating. I have growing reason to believe that these budgetary constraints are seriously impairing and impeding the ability of our excellent OPP to meet the public safety requirements that are properly theirs in large centres and in rural communities.

IDA NUDEL

Mr W. Donald Cousens (Markham): Today I want to express appreciation to the Ontario Legislature from Ida Nudel.

During the 1980s, all three parties—the NDP with Marion Bryden, the Liberals with Monte Kwinter and myself—served as co-chairs of the legislative committee for Soviet Jewry.

We worked closely with the Jewish community in the Toronto area to fight for human rights for Jews in the USSR. The persecution of Jews was acute. When a Jew applied for an exit visa, not only was it refused, but the applicant was identified by the KGB for persecution.

These refuseniks, as they were called, lost their jobs, lost their homes, were sent to remote work camps, and

many died. The Ontario legislative committee for Soviet Jewry adopted Ida Nudel as a refusenik who epitomized the plight of Soviet Jews.

For years we met and sent letters to senior Soviet officials. We presented the Ida Nudel award to leading human rights activists in Ontario and Canada. In 1988, Ida Nudel was given an exit visa from the USSR and immigrated to Israel.

Last week, when Ida was in Toronto at the home of Eric and Marsha Slavens, I asked her, "Did we in Ontario make a difference?" She responded: "Yes. I would not be alive today were it not for the media attention that you gave me. Many of my friends were killed, but I am alive because of you."

To all who helped fight the battle for human rights, for refuseniks like Ida Nudel, I say thank you. May we keep up the battle for the other Ida Nudels around the world where their human rights are being oppressed.

LEADER OF THE THIRD PARTY

Mr Donald Abel (Wentworth North): Watch out Doug Henning and David Copperfield. There's a new kid on the block with an amazing new disappearing act. His name? Michael—"call me Mike"—Harris, aka Mike the Magnifico. In a blink of an eye, Mike the Magnifico made the entire Ontario Progressive Conservative Party disappear. Yep, just like that.

During his recent non-election bus tour of Ontario, the PC logo was nowhere to be found, not on his bus, not on his pamphlets, nowhere. Simply amazing. And during his whirlwind non-election tour, Mike the Magnifico told everyone who came to his big tent that he will cut taxes by 30%, slash government spending by 20%, and at the same time balance the budget and create 750,000 new jobs. Wow. Anybody who accepts all that at face value is probably a major investor in the Brooklyn Bridge.

During his grand tour, Mike the Magnifico honoured the town of Dundas with his presence. He took time from his busy magic act to tell us he wants to inject the private sector into operating health care. He talked about making health care costs more competitive in the private sector. Perhaps he should take his dog and pony show down to the States and view just what their health care system is all about.

Now, my fellow Ontarians, can you figure out what Mike the Magnifico's next disappearing act will be? Yep, you guessed it. As quickly as he made the Ontario Progressive Conservative Party disappear, he is planning to do the same with our universal health care system. Mike, what a guy.

VISITORS

The Speaker (Hon David Warner): I invite all members to join me in welcoming some special guests to our assembly this afternoon. Seated in the Speaker's gallery are members of the consular corps who are posted here in Toronto, representing quite a number of countries. I invite members to welcome the members of the consular corps to our chamber this afternoon. Welcome.

Mr Sean G. Conway (Renfrew North): On a point of order, Mr Speaker: The presiding officer might get together a search party and see if you can find a govern-

ment to which questions might be directed.

The Speaker: The member does not have a point of order. However, it is now time for oral questions. Is there someone from the official opposition who wishes to pose a question? The honourable Leader of the Opposition.

1350

ORAL QUESTIONS

PORNOGRAPHY

Mrs Lyn McLeod (Leader of the Opposition): The minister to whom I wish to direct my first question has entered the House, so I will place my question to the Solicitor General.

Minister, all of us I think were shocked by the story we read today, by the evidence and the events that are being brought to light in the London Police force's investigation of a child pornography ring in that particular city.

As you will undoubtedly know, the chief of police and his officers have been investigating that child pornography and prostitution ring since last December. They have made, to date, some 30 arrests. The chief has now indicated publicly that the problem is more widespread than he had realized and that he simply does not have the resources to be able to deal with it. Their investigation has led the chief to conclude that a provincial task force is required to deal with what you would term the shocking proliferation of child pornography in Ontario.

Minister, do you agree that this provincial task force is needed and, if so, will you move immediately to set up such a task force?

Hon David Christopherson (Solicitor General): I thank the member for this important and timely question. I can advise members of the House that I have this morning spoken with Chief Fantino myself, and he apprised me of the situation and the circumstances in London, talked with me about his concern that it reaches beyond the jurisdiction of his particular police service, and advised me further that he has spoken to senior officers of other police services. Senior members of my ministry staff have also been approached and he has had dialogue with them.

The upshot of it all is that the chief is seeking to submit a proposal to my ministry that we become involved in a JFO, a joint forces operation. I have advised him that of course there are mechanisms for such a proposal and such approvals, that my ministry officials have been advised to respond as quickly as possible, as soon as that proposal is submitted, and the chief has advised me that he is indeed putting together that detailed proposal. My officials will receive it shortly. We'll move on it expeditiously.

Mrs McLeod: Minister, we're obviously concerned that the London police chief not only says that the magnitude of the problem that he's been investigating is beyond what he is able to manage, but that indeed there is evidence that it spreads to other jurisdictions, including Toronto and other communities across the province.

I have to assume that the London police chief has talked with you about this concern before this, at least that your ministry has been looking at it before this. This

investigation has been going on since December. There has certainly been a public awareness that this particular investigation was taking place.

I have to also assume that you have talked with other police chiefs in other jurisdictions and that they have talked to you. This is surely not the kind of problem that we wait until it reaches proportions where a police chief is having to say publicly that it is beyond his control before you, as the minister responsible for policing, are ready to take some action to provide the support that's needed.

Can you tell me, Minister, how long you have been aware of this problem, what you believe the magnitude of the problem to be and what actions you have taken as minister to deal with this problem up to this date?

Hon Mr Christopherson: I believe that the honourable member is not characterizing the position of the police chief in an accurate fashion. I don't believe that there's any sense that the matter is out of control. In fact the chief has assured me in our discussions that the matter is under control. I believe, based on my discussions with him, that the London Police have acted appropriately and I believe that they have dealt adequately.

The issue now is whether or not it goes beyond the jurisdiction of one particular police chief. There are processes in place for chiefs to make proposals to the ministry for such joint forces operations undertakings. There is nothing unusual about that. I want to say very clearly and very emphatically that this is not a question of anything being out of control, particularly where Chief Fantino is concerned.

While I believe he has done an excellent job in leading his police service in dealing with this issue, what has happened is a properly, orderly movement of the issue to the point where he feels that he needs to involve other police services. We have the mechanism for that. He has had the dialogue with my ministry officials. He is prepared to submit his proposal. My ministry officials await that detailed proposal, and I have assured the chief that it will be acted on quickly.

Mrs McLeod: My concern in raising the question is quite clearly to be sure that the London police chief and other police chiefs across this province get the support they need for what is a truly horrifying problem, and get the support they need in a timely way. I don't understand why the police chief should have to make his concerns known in a public session if the minister responsible is indeed working closely with the police forces to help them deal with the kinds of issues they are facing.

The question I am asking, Minister, is, what have you been aware of and what action have you been taking to provide our police forces with the support they need to deal with this problem?

I understand that there is a project called Project P, the anti-pornography squad of the OPP, which has made child pornography its number one priority for 1994. Clearly your anti-pornography squad has said that this is a major problem, but that, as I understand it, is a six-person squad that has the responsibility of dealing with

all of the issues related to pornography across the province.

What Chief Fantino would appear to be calling for, and what his evidence says is needed, is a very focused, very aggressive approach on dealing with this absolutely appalling problem of child pornography and prostitution.

Minister, I ask you, do you think this six-person squad is sufficient to deal with this problem? If you do not, will you give us an absolute assurance today that you will make sure the police are given the resources they need to deal quickly and effectively with what could only be described as horrendous abuse of our children?

Hon Mr Christopherson: Firstly, let me ensure that I convey the fact that I think all members of this House and in my ministry believe that these types of issues need to be addressed vigorously and thoroughly and are absolutely abhorrent and unacceptable. We all need to do everything we can.

I would, however, again, because I think that the member may do an injustice to Chief Fantino, caution her on how the member describes the approach that the chief has taken, the motivation for the position taken by the chief and the process. I've spoken with the chief and I would suggest to the honourable member that this is not a question of a problem in terms of policing resources; this is a question of leadership.

The leadership of the police in London have said they are now at the point where they believe that, based on precedents in the past, they have an issue that justifies them making a proposal to this ministry for a joint forces operation, which means certain things will come into place, all the things that the member is talking about. That is the way the process works.

I have assured the chief that when we receive his detailed proposal—and I understand he's having discussions with senior officers from other police services—we will move on it expeditiously. I've spoken to senior members of the ministry, my staff in the ministry, to ensure that happens.

The Speaker (Hon David Warner): Could the minister conclude his response quickly, please.

Hon Mr Christopherson: My last point is the fact that the member knows also that questions of whether or not investigations should happen are not made by the responsible civilian parties such as myself. They are made by the police experts, and therefore there is a process in place within the ministry to deal with joint forces operations proposals. That is what will happen. I do assure the member that we will act on this as the priority that it is.

Mrs McLeod: I trust that we remember that we're talking about kids and pornography and prostitution and that the answer and response will be immediate and effective.

EMERGENCY SERVICES

Mrs Lyn McLeod (Leader of the Opposition): I will direct my second question to the Minister of Health. Once again I want to raise the issue of emergency care in small rural hospitals and northern hospitals in Ontario. I would stress the word "again" because we have a continued

inability to take the action that's necessary to resolve the kind of crises that are facing hospitals in rural and northern Ontario.

Yesterday the Ontario Hospital Association released a survey that showed that some 40 hospitals—small rural and northern hospitals—are topping off doctors' salaries in order to keep their emergency wards open. The minister is well aware that those hospitals have to take those payments out of their global budgets which are used to run the entire hospital.

Minister, I wonder how long you've been aware that this kind of topping up out of the global budgets is taking place. What does that mean to the access to health care in hospitals in rural and northern Ontario? How many bed closures has that meant? How many fewer nurses has that meant?

Hon Ruth Grier (Minister of Health): I welcome the opportunity to discuss once again an issue that is of real importance not just to the Leader of the Opposition but certainly to those of us on this side and to my members from rural and northern Ontario.

It is not a new issue. The topping up of doctors' salaries is not new. It has been happening in small rural hospitals for quite some time. That was why I was delighted that last August we were able to arrive at an agreement with the Ontario Medical Association that capped our payments to physicians at \$3.85 billion, and that within that we would begin to discuss with the OMA and with the Ontario Hospital Association how best there could be some redistribution within that budget to make sure that physicians covering emergency rooms in small rural hospitals were paid in a way that made it worth their while to go.

In the current fee-for-service system, if they only see one or two emergency patients a night, they have decided to withdraw their services because they don't make enough to warrant being there. We think that's a very serious problem. We set up a tripartite committee. The OMA withdrew from that committee in February and, as I informed the House yesterday, I'm delighted that they now have agreed to come back and sit down with the Ontario Hospital Association and the ministry. I'm very confident that with goodwill on all sides we can resolve the issue once and for all.

1400

Mrs McLeod: Obviously you're the Minister of Health. You're ultimately responsible for ensuring access to quality health care across this province. My question was about what impact the topping up of doctors' salaries in order to keep emergency wards open is having on health care provided in those hospitals.

I agree that you and your government negotiated the agreements with the Ontario Medical Association. I agree that you put in place the budgets for the Ontario hospitals and the hospital association. I think you have a responsibility to understand the impact of those agreements and to be willing to step in and try and resolve any problems that have been created because of them. Both the OHA and the OMA have said that they're willing to sit down and resolve the issue. They want to go back to the table.

They want to go back with the Ministry of Health as a full partner in resolving the issue.

Minister, I ask then, are you really prepared to negotiate with the OHA and the OMA? If so, tell us when that meeting will happen and whether you will accept the responsibility for calling that meeting immediately.

Hon Mrs Grier: The Leader of the Opposition seems to misunderstand what has been happening. We have always been at the table. The Ontario Hospital Association has always been prepared to be at the table. The Ontario Medical Association withdrew from the table in February. Now the Ontario Medical Association has agreed to come back to the discussions. We are attempting to convene a meeting just as soon as we possibly can.

The Ontario Hospital Association has suggested that there be a 60-day framework for negotiations. I have certainly indicated to my officials that whatever it takes to meet that kind of a deadline in terms of the number of meetings and trying to do it as expeditiously as possible is what we are anxious to see.

I have to say to the honourable Leader of the Opposition, though, that the luxury that her government had of throwing money at the problem is not one that we have. We have committed ourselves—

Mrs Barbara Sullivan (Halton Centre): You signed the deal with the Mount Forest doctors.

The Speaker (Hon David Warner): Order. The member for Halton Centre is out of order.

Hon Mrs Grier: —to \$3.85 billion a year for physicians. We believe that within that, it is important to begin to do some reallocation—

The Speaker: Would the minister conclude her response, please.

Hon Mrs Grier: —so that rural residents of this province, northern residents of this province, get the health care that they deserve and have a right to.

Mrs McLeod: Minister, the question here is, when is this going to be resolved, how long is this pending crisis going to go on and what is happening to health care in these hospitals while these endless negotiations or non-negotiations continue? That's the question we keep putting forward.

It's not just about negotiations and bargaining tables and it's not just about what association has what responsibility for administering what budget. The question we want you to respond to is a question about health care. It's about people's need to have access to the health care they need when they need that care. It's about a car accident on a northern highway at 3 o'clock in the morning and people being sure that they're not going to arrive at the nearest hospital and find that there's a "Closed" sign on the door of the emergency ward. That's what this is really all about and that's what we're asking you to address.

People have a right to expect—

Mr Randy R. Hope (Chatham-Kent): Why don't you do something about it?

The Speaker: Order. The member for Chatham-Kent, please come to order.

Mrs McLeod: —that they can get that essential emergency care when they need it, where they need it, regardless of what community they happen to live in. It is a fact that—

The Speaker: Could the leader please place a question.

Mrs McLeod: —at least 40 small rural hospitals are now struggling to provide that very basic essential emergency care while you wait to convene a meeting and attempt to resolve the problem.

I ask you, how long do you believe that these hospitals can continue to cope by siphoning off their global budgets? What advice are you giving to these small rural and northern hospitals to deal with the crisis in the meantime? Will you assure them that at the end of all this they will not have to make decisions that jeopardize health care in every aspect of their hospital simply in order to make sure that people have access to essential emergency care?

Hon Mrs Grier: I agree with the Leader of the Opposition that this is about people's care, people's care in their communities, people's care in their small rural hospitals, people who have a right and have an expectation that their physicians will be there for them to provide that care whether they need it at 3 o'clock in the afternoon or 3 o'clock in the morning. What we are coping with is physicians who have said, "We won't be there at 3 in the morning, because we're paid on the basis of how many people we see, and that doesn't generate enough income to justify us being there at 3 in the morning."

I think it is a very serious problem, one, let me say, that the previous government in five years didn't find a way of resolving, but one that can be resolved if there is goodwill on the part of the physicians and on the part of the hospitals, and I believe there is. I believe that we can now begin to resolve it, a problem that has been there for a very long time and that the people of this province want resolved, and we're prepared to try to resolve it.

ELIZABETH FRY SOCIETY

Mr Robert W. Runciman (Leeds-Grenville): I have a question for the Minister of Correctional Services. I want to ask you about a lengthy investigation into the ministry of corrections operation through the Elizabeth Fry Society in Hamilton and allegations of misuse of funds, conflict of interest, lesbian sexual assault and serious violations of the parole supervisor-parolee relationship.

We're advised that the investigators' review was completed and delivered to the ministry of corrections either January or February of this year. Minister, can you advise us if the report made any reference to a requirement for matters being referred to the police? If so, what have you done in respect to that? Also, did the review contain any information requiring administrative action by the ministry? If so, what have you done in that respect?

Hon David Christopherson (Minister of Correctional Services): Yes, I am certainly aware of the review that is taking place. The recommendations and the report itself from the reviewing panel or individuals have been

received by the funders. There's more than one funder, as I'm sure the member knows, that provides the budget money to the Elizabeth Fry Society, and collectively all of the funders are a part of this review, and they are the ones that are receiving these recommendations.

I understand that the discussions between the authors of the report and the funding partners is still under way. In fact, as recently as within the next week or few days even, there will be further meetings between the funders and the authors to review the report, and I expect the funders will make recommendations to their parent bodies on actions that should be taken.

Mr Runciman: Essentially the minister evaded answering my question. I asked him a very specific question in respect to matters raised in that report that required involvement of the police or required administrative changes, and he did not respond specifically to those questions. In my view, if he refuses and continues to refuse to answer those questions, he's participating in a coverup of what occurred at the Hamilton Elizabeth Fry Society.

Interjection.

Mr Runciman: Yes, take a hike. That's the kind of response we get from this minister.

I'll reiterate my questions in respect to police matters. This has been ongoing for some time. We're talking about very serious allegations and some victims involved in this. Who is the minister representing in this instance as the top police officer in the province? His chief of staff, one Darlene Lawson, is a former executive director of the Elizabeth Fry Society in Toronto and a friend of Terri-Lee Seeley, the executive director of the Hamilton Elizabeth Fry Society.

I ask the minister once more, are matters in this report critical enough to be referred to the police? If so, have you done it? If not, why not? What has been the role of your chief of staff in this whole matter?

Hon Mr Christopherson: First of all, I don't think it does the honourable member of this House any credibility whatsoever to be tossing around terms like "coverup" as lightly as he likes to do, simply seeking a cheap headline, when the reality is that there's no such evidence whatsoever.

I have said to the honourable member where we are in terms of the process. It's the funding group that received the report. If I were to have taken action that precipitated the receiving and review by those funders, the honourable member would have been on his feet accusing me of interfering in an arm's-length relationship and would link that to Lord knows what other kind of conspiracy he could throw together with flimsy ideas and very little fact. That is the fact. That is where the process is. He knows that.

1410

In terms of the specific question about my chief of staff, my chief of staff had absolutely no role at all involved in the development; the report itself was done by independent investigators, including the federal government, and they were responsible to the funding group.

I would very quickly and emphatically suggest to him that he's trying to generate cheap headlines. It's disappointing to see somebody who at times has great credibility throw it away on this kind of slimy stuff.

The Speaker (Hon David Warner): The minister was doing fine until the last few words. I know the minister would not want to use language that is provocative in the House and I know he would wish to withdraw those last couple of comments and allow his colleague to place his final supplementary.

Hon Mr Christopherson: I certainly, and of course, withdraw anything I said that was unparliamentary.

Mr Runciman: The minister's feigned indignation doesn't impress anyone; we're used to that kind of response.

In respect to very serious allegations, about sexual assault especially, I would think that the top cop in the province would as his first priority be concerned about victims and ensure that the police were called in in those kinds of situations, and not suggest to us and the people of Ontario that he's going to draw in all the funding groups and get their advice when those kinds of allegations are brought to his attention. He has a responsibility, and he's not following through on it.

I would suggest—and I'm not using cheap political rhetoric—that in fact this reeks of government protection of political friends of the government. It reeks. The minister's chief of staff, Darlene Lawson, is the former executive director of the Elizabeth Fry Society of Toronto and a close friend of Terri-Lee Seeley, the Hamilton executive director at the centre of this investigation. The reason your ministry has been so lax in following through on this is, I suggest, Mr Minister, that you're protecting your political friends.

The Speaker: Would the member place a question, please.

Mr Runciman: The minister suggested his chief of staff has not been involved. The people in Hamilton say that when they've tried to contact the minister in respect to this matter, those calls are referred to Darlene Lawson's office. Have you required Ms Lawson to withdraw from any dealings in respect of the Elizabeth Fry Society of Hamilton?

Hon Mr Christopherson: With regard to the direct question the honourable member asks, at the outset of this I had a discussion with my chief of staff to ensure that she had no involvement at all that could in any way lend any credence to the kind of allegations that I knew certain members of the House might try. Therefore I am very satisfied, particularly knowing the individual in question, who is one of the most honest individuals I have ever met. I would stand behind her integrity any day, every day, all day. I do in this case also.

Let me just say that if guilt by association were to be true and that's how you were found guilty, the Tory party in Ontario would never have survived four months in government, let alone 40 years. Let's get off this. Look at the facts, look at the process. Everything is aboveboard, it's being done the way it ought to be, and I'm absolutely satisfied that things are being done appropriately.

PORNOGRAPHY

Mrs Dianne Cunningham (London North): My question is to the Solicitor General. Mr Minister, the child pornography trade is spreading across the province. You're very much aware, from the questions this afternoon, that it's a tremendous concern. We know a lot about it in London, and we'd like it stopped. We know that 30 people have been arrested, and, you should know, with London resources, four in Metropolitan Toronto.

These young children are vulnerable and are being victimized by these predators and, sadly, sometimes by people in positions of trust to children. It's a community issue and the communities in Ontario want these people put out of business. I wasn't satisfied with your response this afternoon to the question, and I would like to ask you to respond again in another way.

I know you're looking for a proposal, but you're the Solicitor General. You're asking that communities tell you of their concerns, either elected representatives or police forces. So my question today is, are you going to say yes to this proposal, and when can we expect it to begin?

Hon David Christopherson (Solicitor General): First of all, let me say that I appreciate the role the honourable member plays in this area in terms of the leadership she's providing. I know she is very concerned about this, and in my discussions with Chief Fantino, certainly that reflected his view of the way the honourable member was conducting herself in her riding and in her community.

I appreciate the question she's asking and the reason for it, but I must say again—and I would ask honourable members to be very, very clear on hearing this response—that this is not a question of Chief Fantino saying that things are out of control, that he can't handle it and is hollering for Queen's Park to step in. That is not the case at all. Chief Fantino has done an excellent job in providing leadership to his police service. I suspect the honourable member would be prepared to make that statement herself. The London Police service has done an excellent job.

The issue now, however, is that it does go beyond the boundaries of one particular police service. We have a process in the ministry for dealing with those types of issues. The process involves submitting a proposal. There's nothing unusual about that, and I would say very sincerely to the honourable member that were I in this case to do anything different—

The Speaker (Hon David Warner): Would the member conclude his response, please.

Hon Mr Christopherson: —than the established procedures, I would be doing a great disservice to the expertise and the professionalism that policing and police decisions around joint forces operations would have. I would ask the honourable member to check with Chief Fantino himself to see if there is any variation between what I am saying here today and what he would say to the honourable member.

Mrs Cunningham: Well, I did speak to Chief Fantino this morning, and I can only quote what he said. I think everybody in this province respects the leadership of this

particular police chief and others across the province, but he did say, and I'll quote, "This whole thing begs for a concerted effort." He's saying this is the kind of issue that is not being dealt with in many communities.

In London, we have put all our resources into this issue, to try to turn every stone, try to find every victim, to talk to families and to track down these predators. That's what we've done. The search is far beyond London now, and he's saying, and I'll underline again, that dealing with this has to be a priority right across the province and it has to be dealt with now.

This police chief, Julian Fantino, does not speak lightly on this issue. I think he is taking a stronger stand than what you've stated. I do know that he respects process. If you're the Solicitor General, you can speed up the process. You can predetermine the need. You can tell all of us in this Legislative Assembly that you will be supporting this proposal and that you know it's necessary. That's what I'm looking for: not only a yes for speeding up the process—

The Speaker: Would the member please place a question.

Mrs Cunningham: —but a time frame. Announce in this House when you expect to have this study done.

Hon Mr Christopherson: With great respect to the honourable member, I think there is nothing at all lacking in this, and if she can find someone who wants to suggest to the contrary within the policing community, I'd be prepared to respond to that. The fact of the matter is that the London Police service has done an excellent job of dealing with this issue, as far as it could. It has gone beyond their boundaries, and that means we need to bring in other police services.

1420

The member will also know that we do have a permanent unit dealing with pornography in the province, Project P, which involves OPP officers and Metro officers and others as required, and the chief is suggesting that there needs to be a tie-in here, but there does need to be a formal joint forces operation. That is not unusual. Some joint forces operations are known about publicly, some are not. It depends on the need the police have, which is why it's a police matter, not unlike a decision for a police chief initiating an investigation or concluding an investigation. Those decisions are made by police experts at arm's length from the civilian accountability—

The Speaker: Would the minister conclude his response, please.

Hon Mr Christopherson: —and that is what happens in this place. However, I have spoken to my senior officials and given assurances to Chief Fantino that the proposal will be received as a priority, it will be treated as a priority, it will be expedited, and Chief Fantino has assured me that he was satisfied with the actions I've taken to date. If there's anything different from that, I'd certainly be interested in hearing it.

Mrs Cunningham: I will then assume that the minister will be reporting back to the House soon, maybe within the next couple of weeks, on the status of a province-wide police task force in the province of Ontario

with regard to the child pornography trade. I look forward to that announcement. There are many communities that should not be smug and comfortable with regard to the issue of child pornography, and it's the kind of thing that people do feel comfortable about because it's just so awful that they don't know where to start.

It's widespread, and victims are traumatized for life. Some of the children in London have been as young as eight years of age. I have to tell you right now that these children—two words. They become dysfunctional, which we've all been talking about in committees of this Legislative Assembly in the last couple of weeks, and communities may eventually have to support them in so many ways.

Because you feel, I know, that your ministry and boards of education must add their deep concern to education policies for violence-free schools and because the Ministry of Education is probably going to be making an announcement in that regard on Thursday, will you instruct the Minister of Education to include in his announcement and his guidelines for safe school communities—I think they're going to be released on Thursday and I may not be here. So we can have a community response to violence and maintain not just safe schools but whole communities, will you ask him to insert this as one of the issues of concern in his guidelines: community education?

Hon Mr Christopherson: I'm certainly prepared to talk to the Minister of Education about any matter that could have an implication for his ministry as it overlaps with mine. I can't speak to the specifics she raises, since they are primarily at this point an Education ministry-driven matter.

Let me say this to her: If in the course of dealing with this issue, either locally in her community or on a province-wide basis as the result of a JFO being started, there are any matters that need to be brought up with the Ministry of Education, Ministry of Health, Ministry of Community and Social Services or any other ministry in this government, we will deal with that as a priority.

I think she would agree that all members in this House share a concern when it comes to our children and the abuse that takes place in these kinds of cases. She has my personal commitment that we will deal with this thoroughly, adequately and in an acceptably timely fashion.

TVONTARIO HEADQUARTERS

Mrs Lyn McLeod (Leader of the Opposition): My question is to the Minister of Culture, Tourism and Recreation. Minister, there is some understanding, or at the very least some very widespread rumours, that despite a 30% vacancy rate in the city of Toronto, TVOntario is currently contemplating pursuing plans to build a brand-new office tower in the heart of Toronto's downtown. Minister, will you tell us today that this simply cannot be true? If by any chance it is, would you tell us what possible justification there could be for even contemplating such an expenditure?

Hon Anne Swarbrick (Minister of Culture, Tourism and Recreation): There is no decision yet made for TVO to move. Should there be such a decision, it will be

based on it being a better deal for taxpayers than what TVO now pays for its rent today.

Mrs McLeod: I can hardly believe that the minister didn't simply assure us that nobody would even contemplate building a new office tower for a government agency in downtown Toronto, particularly when we've just been talking about hospitals across the province struggling to provide emergency care.

May I remind the minister of the fiasco that occurred the last time this government decided it needed a new building? The government spent \$180 million on a new building for the Workers' Compensation Board that it could not afford. The auditor was critical of it and critical of the government's role in letting that project go ahead.

The only things that have changed since the decision was made to build that building are that the vacancy rate in the city has increased, the government is much poorer, and critical services this government provides are being cut.

Minister, will you tell us, if this is a business plan, what could possibly justify such an expenditure and how much would the expenditure be? Would you at least tell us that no matter how much it is, it is still too much?

Hon Ms Swarbrick: Under both of the predecessor governments to this one, TVO has been paying very high rent for very poor facilities. TVO has a great need for improved broadcast facilities. Their lease is coming to expiry. It makes every bit of sense that TVO should be looking for facilities that will finally meet its needs at a far better deal than it's been paying Moog in the building it's been in under the Tories, who negotiated it in the first place, and then under the Liberals before us.

METROPOLITAN TORONTO HOUSING AUTHORITY

Mrs Margaret Marland (Mississauga South): My question is to the Minister of Housing. Yesterday the minister announced that Peat Marwick Thorne, led by Ronald Hikel, will conduct a comprehensive review of MTHA. In her statement the minister said, "Mr Hikel will work closely with the MTHA board of directors and its staff during this process of change."

However, the MTHA board of directors and senior management are part of the ongoing serious problems at the agency. Vance Latchford, chair of the board's tender review committee, said in a recent memo to the minister that MTHA staff withheld key information the board needed to make decisions about the improper performance of contractors who continue to receive large contracts.

Given these allegations that staff have blocked the board's efforts to do its job, how can the public be certain that the auditors will have access to all the information they need to form a complete picture of the management of MTHA?

Hon Evelyn Gigantes (Minister of Housing): It is precisely because of the questions that have been raised by members of the board, by members of staff of MTHA and, most important, by residents who live in MTHA communities that we have asked Peat Marwick Thorne to undertake the review of MTHA operations.

The member for Mississauga South asks the question,

how can we be sure that all information will be available? I can assure her, I can assure members of the board, I can assure staff and I can assure residents that it is my will, and it will be monitored by me, that any information required by Peat Marwick Thorne in the execution of its undertaking on behalf of our government will be met.

Mrs Marland: That's not very assuring for us, because this minister also had assured us all along that there wasn't a problem at MTHA.

I'd like to remind the minister that the vice-chair of MTHA, Anne Smith, has also complained that MTHA staff has kept information from the board. Ms Smith says, "Senior management has withheld such basic information as staff resignations." There are also allegations that another board member is being harassed and intimidated by the board chair and by the general manager.

1430

There continues to be a shroud of secrecy over the agency. At the MTHA board meeting on May 17, the board chair, Pat O'Neill, did not release the internal audits to the board members, even though many outsiders already had received leaked copies of the audits. Instead, the members received a synopsis of the audits. Clearly, both senior management and the board chair are determined not to share information with the public and other board members, yet these senior officials remain in place during this audit process.

Minister, will you ensure that the auditors can get to the bottom of what is going on at MTHA by asking the current board chair and the general manager to step aside during the four months of the audit?

Hon Ms Gigantes: The work that Peat Marwick Thorne will be carrying out on behalf of the government is work that will touch on every area of the operations of MTHA and include all matters to which I have previously referred. I would underline to the member for Mississauga South what she already knows, if she would state it accurately, please, in the future: I have never said that all was well at MTHA—never, never, never.

The work that they will be carrying on has the full support of this government. It is our will that the work will produce recommendations which will help us to make improvements in the operations of MTHA on behalf of the residents of MTHA in the short term and also will produce options and a proposed method for the involvement of the board, of staff and of the people who live in MTHA communities in the future shape of an organization which has well outgrown its need to perform in this community.

YOUNG OFFENDERS

Mr Kimble Sutherland (Oxford): My question is for the Attorney General. Attorney General, recently the Zonta Club of Woodstock sponsored a public information meeting called Justice Without Fear: What Can I Do? Over 800 people attended the meeting to hear speakers talk about our justice system. One of the issues raised was Ontario's position on harsher penalties for young offenders who commit violent crimes against people.

My question for the Attorney General is this: During

the federal-provincial-territorial meeting of justice ministers in Ottawa, what was Ontario's position with respect to increasing sentences for young offenders who commit violent interpersonal crimes?

Hon Marion Boyd (Attorney General): I appreciate the question from the member for Oxford. As I've said in this Legislature a number of times, Ontario and all of our sister provinces and the federal government were unanimous in saying that we were concerned about the growth of interpersonal violence and about the need to change the Young Offenders Act.

Prior to the current government being elected, the justice ministers from across the country had already agreed to a year-long study of the Young Offenders Act, a study that's taking place on the 10th anniversary of the introduction of the act. The feeling was at that time, by all of those provinces, that a piecemeal or simplistic approach would not be appropriate, that we really needed to look at the whole act and how it was operating and that we needed to look at how we shift some of the emphasis in the system from the low end of the scale in terms of seriousness of crime to the high end.

Ontario's position has been clear. There is a real need to make changes in the sentencing options that are available for young offenders. However, those changes must be comprehensive, because what we are seeing is not only a growth in violent crime but a huge growth in the charging and the incarceration of young people at the lower end of the seriousness scale.

Mr Sutherland: Thank you for that response, Attorney General. I realize the Young Offenders Act is a federal act and that it is up to the Liberal government in Ottawa to make the necessary changes. However, I believe my constituents would like to know what steps the provincial government is taking to best utilize the current act in such areas as sentencing, transfers to adult court and how the provincial government is making the best use of our limited resources to combat interpersonal crime.

Hon Mrs Boyd: Our agenda has been very clear as it relates to justice and law enforcement. We are doing everything we can to focus our limited resources on violent interpersonal crime and to explore other, non-court-based methods for dealing with non-violent and relatively less serious crime.

If I go back to the issue of sentencing young offenders, I think it's a good example of how we need to approach this issue. Currently, we are incarcerating young people at unheard-of levels for generally less serious property-related crimes, and incarcerating young people is extremely expensive.

It is this government's position that we could be using some of these resources from that lower end of the seriousness scale to direct them towards youth who do pose a danger to themselves and their communities and their families. It's that group of young people who are most in need of these resources so that they can rehabilitate themselves and become self-sufficient members of society.

Prevention is the other key issue.

The Speaker (Hon David Warner): Could the minister conclude her response, please.

Hon Mrs Boyd: The practice of incarcerating young persons for non-violent and minor offences reduces the resources we have available for prevention.

The Speaker: New question, the honourable member for St Catharines.

Mr James J. Bradley (St Catharines): My question is for the Premier, but after almost three weeks away, he's ducked out after 35 minutes. I guess I have to give it to the member for Algoma-Manitoulin.

FOREST MANAGEMENT

Mr Michael A. Brown (Algoma-Manitoulin): I have a question for the Minister of Natural Resources. But before I ask my question, I'd like to congratulate the Minister of Natural Resources and the Minister of Northern Development and Mines on their recent announcement.

I have a question for the Minister of Natural Resources and it concerns the government's policy to think globally and abandon locally on forestation policy.

Yesterday it was revealed that Ontario Hydro is considering investing in as many as 18 international projects involving the restoration and reforestation of large tracts of forest land in Central America, Russia and, yes, the United States. It is interesting to note the active interest which this government, as represented by Ontario Hydro, is taking in these foreign projects at the very same time when it slashes funding to forest renewal in this very province year after year. Under this government, funding for planting trees on crown forest land has dropped by 30%, the amount of forest land tended has been cut by 50%, and last year 11 million trees were mulched in this province.

The minister suggested yesterday that these international projects are being considered as a way of combating the problem of global warming and greenhouse gases. My question is, what does the minister have to say to the tree seedling growers, to the silviculture contractors and all the users of Ontario forests who witness this type of potential investment going on in other parts of the world by a provincial government agency when the province itself has seriously cut back on reforesting the forests in its own backyard?

Hon Howard Hampton (Minister of Natural Resources): First of all, I want to thank the member for the question. I can only say, if it took me that long to ask the question, I'd still be waiting around. So let me try to come directly to the answer.

For many years in the province of Ontario, the province has not had the funding necessary to do the kind of regeneration work that we need to do in the forests. Year in, year out, the Ministry of Natural Resources, under Conservative governments, under Liberal governments and, yes, in the difficult economic times we're having under the New Democrat government, has gone and sought money for forest renewal. Over the last 10 years, the last 15 years, that money has been difficult to come by.

What we are attempting to do is put in place a forest

renewal trust fund which will have first claim on stumpage fees, which will mean that for the first time ever in the province we will have a guaranteed fund for forest renewal.

That proposal by our government is being warmly received by the forest industries, is warmly received by the silvicultural contractors, is warmly received by the tree nursery operators. They all recognize that what we need is a new type of relationship designating funding for forest renewal.

I am very proud that we are the first government, the only government, to move in that direction, the first government to recognize that forest renewal ought to have a first claim on revenue generated in the forest. I look forward to the member opposite supporting us when we bring the legislation forward very soon to implement what we're trying to do.

1440

Mr Brown: As you know, for the last almost four years, as I mentioned before, reforestation has decreased by 30%. The amount of land tended has decreased by 50% since this government came to power. The minister is most selective in his memory of what goes on in Ontario's forests. Let's look at the raw numbers. The operating budget of his ministry has been cut by some \$32 million this year. The Ministry of Environment and Energy's budget has been cut by \$59 million.

They claim they're interested in reforestation and they claim they're interested in global warming. They make lots of claims but have not produced anything.

We look forward to his announcement of sustainable forestry. We look forward to the act. We thought it was going to be here three months ago; so did the seedling producers, so did the silviculture people, so did all those people who right now don't know what's going on. There's just chaos there.

Is the Minister of Natural Resources now considering approaching Ontario Hydro and asking Ontario Hydro if it will provide the funding to reforest Ontario?

Hon Mr Hampton: The irony of the Liberals standing in the House one day and saying, "You should cut your spending," and then when we find effective ways to cut the spending and still deliver the service, they complain that we've cut the spending.

Since we have become the government, the management within the Ministry of Natural Resources has been cut from 11 levels of management to five levels of management.

Mr Steven W. Mahoney (Mississauga West): Don't buy the rain forest. You don't have to go to Costa Rica; do it in Ontario.

The Speaker (Hon David Warner): Order, the member for Mississauga West.

Hon Mr Hampton: We've moved from eight regional offices to four regional offices. We've reduced from about 16 different branches in the ministry to six different branches. What we have done is removed levels of management, we have done away with unnecessary offices, we have moved services closer to the people, and that has saved people money.

Further, so that the member will understand, the reality is that our forest issues will not be solved by throwing money at them, as the Liberals tried to do. No forest policy under the Liberals, no old-growth policy under the Liberals, no sustainable forest policy under the Liberals, no new legislation. I am sure the member will support us as we do, in the next 12 months, all those things that five years of Liberal government failed to do.

MUNICIPAL DEVELOPMENT

Mr Allan K. McLean (Simcoe East): My question is to the Minister of Municipal Affairs. It concerns a meeting that my leader and I had yesterday with Mr Hector Verhoeve, mayor of Norfolk township, Deputy Mayor Jack Boughner, planner Jim McIntosh and clerk administrator Merlin Howse about your flawed planning development reform package.

Norfolk township officials, like their counterparts across Ontario, believe your new policy fails to recognize the diversity of Ontario's municipalities and planning areas, limits any possible development in small rural municipalities and limits locally elected officials in the decision-making process, they claim.

Minister, will you recognize and respond to these very serious concerns raised by Norfolk township and completely overhaul your planning and development policy to make the system clearer, easier and more accessible to the people of rural Ontario?

Hon Ed Philip (Minister of Municipal Affairs): The package of reforms we have introduced, which is the first major reform package in some 30 or 40 years, in fact meets the concerns of rural communities. We've heard from rural communities. The Association of Municipalities of Ontario has four members on the committee that is working on the implementation of these policies.

We've had a buy-in from the home builders, we've had a buy-in from the environmentalists, we've had a buy-in from the developers and we've had a buy-in from the municipalities. When you can get that kind of consensus, I don't think we're doing too badly.

Mr McLean: The minister has not listened to the rural Ontario elected officials. They tell me they cannot get a meeting with the minister or his officials. They tell me the member who represents that area will not return calls or meet with them.

Minister, your Sewell Commission on Planning and Development Reform in Ontario spent more than \$2 million over two years, travelling the province to review the planning and development process. You then turned around and formed a censorship on duly elected local councils by forcing them to respond to the Sewell commission in 90 days.

It's apparent you have little regard for local Ontario municipalities, and I join with rural Ontario in demanding that you withdraw your new planning development package until all concerns have properly been addressed. Will you make that commitment today, withdraw that? Because those people we met with yesterday said that they were not listened to and they're not happy.

Hon Mr Philip: No, I won't withdraw it, because the people of Ontario have been asking for a streamlined

form of government, a streamlined form of planning. They've asked for that for years.

Mr Chris Stockwell (Etobicoke West): Name one. Name one.

The Speaker (Hon David Warner): The member for Etobicoke West.

Hon Mr Philip: You did not deliver it. You delivered absolutely nothing. We have delivered it, and we intend to proceed with it.

BENEFITS FOR OLDER WORKERS

Mr Ron Hansen (Lincoln): My question is to the Minister of Labour. One of my constituents, an older worker, was laid off from his job in January 1992. He was just one of the 30 let go. His unemployment insurance benefits ran out the following October.

He then applied for assistance under the federal-provincial program for older worker adjustment. It is now June 1994, a full one and a half years after he applied to the program, and my constituent still doesn't know if he qualifies. We've heard there is some kind of backlog in the system. Can the minister advise this House and my constituency why there is such a delay in a program for older worker adjustment?

Hon Bob Mackenzie (Minister of Labour): The member is probably aware that the program for older worker adjustment is a joint federal-provincial program designed to assist older workers who are laid off due to a major closure that occurred on or after January 1, 1988. They have to have little possibility of being re-employed. Before any decision can be made on whether or not a layoff will be designated under the program, extensive research on the layoff itself is carried out by officials in both my ministry and Labour Canada. I might say that we have never had the money from both sources that would fully deal with all of the people who might qualify.

In January of this year, the Ministry of Labour received cabinet approval to enter into discussions with the federal government on possible ways to change the current criteria of POWA to assist and try and get a larger number of older workers into the existing budget. Once these discussions have been completed, an adjusted Canada-Ontario POWA framework agreement will be signed with the federal government, which should assist us to get an additional group of workers covered under the plan.

Until these arrangements are completed, ministry officials will continue to analyse those who are laid off and see whether or not they qualify.

Mr Hansen: Can the minister advise this House and my constituency of what this government is doing to help older workers who have little hope of being recalled to their jobs?

Hon Mr Mackenzie: We are rather proud of our record, although it's not all that we would like. We have several programs. As I've mentioned, there is the Ministry of Labour and the POWA, with changes currently being negotiated with the federal government, which incidentally co-administers the program. To change any of the criteria to assist older workers, they have to be involved.

This government has also brought in the employee wage protection plan, and I think it's significant to say that up until now this plan has paid out better than \$126 million to better than 55,000 workers whose employers have declared bankruptcy or gone into receivership.

As well, the member will know that we have the Ontario Training and Adjustment Board administering the transitions program which provides training to laid-off workers who are now over 45, and labour adjustment services also provided through my ministry which work closely with both employers and workers in the event of a layoff.

1450

PETITIONS SEXUAL ORIENTATION

Mr Hugh O'Neil (Quinte): I have a petition from the riding of Quinte and it reads:

"To the Legislative Assembly of Ontario:

"Whereas the majority of Ontario citizens believe that the privileges which society accords to heterosexual couples should not be extended to same-sex relationships; and

"Whereas redefining the fundamental institutions of marriage and family in allowing same-sex couples to adopt children would cause an enormous negative impact on our society over the long term;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the House refrain from changing provincial laws that deal with family, marriage and children and that the undefined phrase 'sexual orientation' be removed from the Ontario Human Rights Code."

Mr Bill Murdoch (Grey-Owen Sound): I have a petition to the Legislative Assembly of Ontario which was brought to me by a gentleman named Elroy Belbeck who received over 30 signatures just in a very short time one night. It reads:

"Whereas, to our opinion, a majority of Ontarians believe that the privilege which society accords to married heterosexual couples should not be extended to same-sex relationships; and

"Whereas for our government to use our tax money to furnish contributions for the propagation of practices which we sincerely believe to be morally wrong would be a serious violation of our freedom of conscience; and

"Whereas redefining marital status and/or spouse by extending it to include gay and lesbian couples would give homosexual couples the same status as married couples, including the legal right to adopt children; and

"Whereas the term 'sexual orientation' is vague and undefined, leaving the door open to the demands for equal treatment by persons with deviant sexual orientations other than the practice of homosexuality;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We request that the Legislature not pass into law any act to amend the Human Rights Code with respect to sexual orientation or any similar legislation that would change the present marital status of couples in Ontario."

TOBACCO PACKAGING

Mrs Karen Haslam (Perth): I have a petition to the Legislative Assembly of Ontario in support of plain packaging of tobacco products:

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains the provision that the government of Ontario reserves the right to regulate the labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces rather than act on its own to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national plain packaging strategy the most efficient method of protecting the Canadian public;

"Therefore we, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

I sign my name to this petition.

KETTLE ISLAND BRIDGE

Mr Gilles E. Morin (Carleton Place): I have a petition addressed to the Parliament of Ontario coming from my constituent from Manor Park:

"Whereas the government of Ontario has representation on JACPAT (Joint Administrative Committee on Planning and Transportation for the National Capital Region); and

"Whereas JACPAT has received a consultants' report recommending a new bridge across the Ottawa River at Kettle Island which would link up to Highway 417, a provincial highway; and

"Whereas the city and regional councils of Ottawa, representing the wishes of citizens in the Ottawa region, have passed motions rejecting any new bridge within the city of Ottawa because such a bridge and its access roads would provide no benefits to Ottawa but would instead destroy existing neighbourhoods,

"We, the undersigned, petition the Parliament of Ontario as follows:

"To reject the designation of a new bridge corridor at Kettle Island or at any other location within the city of Ottawa core."

I affix my signature to the petition.

FIREARMS SAFETY

Mr Ernie L. Eves (Parry Sound): I have a petition to the Legislative Assembly of Ontario:

"Whereas we, the undersigned, strenuously object to Minister of the Solicitor General's decision on the firearms acquisition certificate course and examination; and

"Whereas we believe that the Solicitor General should have followed the Ontario Federation of Anglers and Hunters' advice and 'grandfathered' those of us who have already taken safety courses and/or hunted for years;

"Whereas we believe that we should not have to take the time or pay the cost of another course or examination, and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To amend your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

This petition has been signed by approximately 100 constituents in my constituency, and I have affixed by signature thereto as the member of the provincial Legislature.

SEXUAL ORIENTATION

Mr Peter North (Elgin): I have a petition to the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas Canada was founded on Judeo-Christian principles which recognize the importance of marriage and family;

"Whereas the redefinition of marital status will extend to same-sex couples the rights and benefits of marriage;

"Whereas this redefinition will further increase the likelihood that children will learn to imitate homosexual practices;

"Whereas there is evidence that there will be negative financial, societal and medical implications and effects on the community with any increase in homosexual practices, the redefinition of spouse and family status, and policies concerning adoption of children by homosexuals;

"We request that the House refrain from passing any legislation that would alter or redefine marital status."

It's signed by a number of constituents in Elgin county.

TOBACCO PACKAGING

Mr Larry O'Connor (Durham-York): I've got a petition here to the Legislative Assembly of Ontario in support of the plain packaging of tobacco products, and it's a pleasure to read it on today's World No Tobacco Day.

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains the provision that the Ontario government reserves the right to regulate the labelling, colouring, lettering, script, size of writing or

markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces, rather than act on its own, to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national packaging strategy the most efficient method of protecting the Canadian public;

"Therefore we, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

I've got a page here waiting, standing right by, from Mount Albert, and I'm going to sign this and send it down to the table officers.

EDUCATION FINANCING

Mr Alvin Curling (Scarborough North): I have a petition from the Catholic school board. It says:

"To the Legislative Assembly of Ontario:

"Whereas the British North America Act of 1867 supports the right of Catholic students to a Catholic education, and the province of Ontario supports two educational systems from kindergarten to grade 12/OAC; and

"Whereas the Metropolitan Separate School Board educates more than 103,000 students across Metropolitan Toronto; and

"Whereas this is equivalent to 30% of all the students in the area; and

"Whereas the Metropolitan Separate School Board is expected to provide the same programs and services as its public school counterpart and must do so by receiving \$1,822 less for each elementary school student and \$2,542 less per secondary school student (based on 1993 estimates, MET published statistics);

"We, the undersigned, petition the Legislative Assembly of Ontario to act now to ensure that Ontario's two principal education systems are funded fully and equality."

I've affixed my signature to the petition.

SEXUAL ORIENTATION

Mr Allan K. McLean (Simcoe East): I have several petitions, but I'll just read one of them into the record and that should cover them all. It says:

"To the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas traditional family values that recognize marriage as a union between a man and a woman are under attack by Liberal MPP Tim Murphy and his private member's Bill 45; and

Whereas this bill would change the meaning of the words 'spouse' and 'marital status' by removing the words 'of the opposite sex'; and

"Whereas this bill would recognize same-sex couples and extend to them all the same rights as heterosexual couples; and

"Whereas this bill was carried with the support of an NDP and Liberal majority but with no PC support in the second reading debate on June 24, 1993; and

"Whereas the NDP government has indicated it will force private sector employers to pay same-sex spousal benefits; and

"Whereas redefining marriage and forcing the private sector to pay same-sex spousal benefits will have serious negative economic and social implications;

"We, the undersigned, petition the NDP government to withdraw consideration of private sector spousal benefits for same-sex couples and refuse to pass the private Liberal member's Bill 45."

That is from Bethel Baptist Church in Orillia. One is from First Baptist Church in Orillia, another is from the Orillia Baptist Church, one from Marchmont Baptist Church, one from Christian Reform Church and another one with 135 signatures privately, and I'll affix my name to them.

1500

SOCIAL CONTRACT

Mr Kimble Sutherland (Oxford): Last week during constituency week, Wayne Smith, who is the president of OSSTF District 46, came to my office to present me with a petition that is signed by 329 members of District 46.

They object to the disproportionate way in which the social contract affects their members, particularly those members still on the salary grid as well as those nearing retirement. They demand that grid increments be made mandatory under Bill 48. As I say, there are 329 signatures on that petition expressing concern about not having grid movement, so I present that petition now.

MENTAL HEALTH SERVICES

Mr Tony Ruprecht (Parkdale): I have a petition to the Honourable the Lieutenant Governor and the assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario on the issue of the 20-bed forensic jail which is in the process of construction at the Queen Street Mental Health Centre;

"Whereas the public has been assured through the media and other sources available that all levels of government have agreed that the political process of this issue has been greatly negligent, it is in the best of public interest and of taxpayers of this community to terminate all construction procedures directly related to the building of this 20-bed forensic jail for the criminally insane immediately;

"Whereas the citizens of this community believe it is their right to demand an investigation of this 20-bed forensic unit from its original proposal to the planners and building department and everyone that has participated in the process to this very date;

"Whereas community leaders and city council members agree that employees of the Queen Street Mental Health Centre be re-evaluated, as they have demonstrated a lack of supervision and negligence to the care of their patients;

"Therefore, we request that construction of this forensic jail for the criminally insane be stopped immediately."

I have affixed my signature to this petition.

JUNIOR KINDERGARTEN

Mr Ted Arnott (Wellington): I have a petition to the Legislature Assembly of Ontario and it reads as follows:

"Whereas the previous provincial Liberal government of David Peterson announced its intention in its budget of 1989 of requiring all school boards to provide junior kindergarten; and

"Whereas the provincial NDP government is continuing the Liberal policy of requiring school boards in Ontario to phase in junior kindergarten; and

"Whereas the government is downloading expensive programs like junior kindergarten on to local boards while not providing boards with the funding required to undertake these programs; and

"Whereas the Wellington County Board of Education estimates that the operating cost of junior kindergarten will be at least \$4.5 million per year; and

"Whereas mandatory junior kindergarten programs will force boards to cut other important programs or raise taxes; and

"Whereas taxes in Ontario are already far too high;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that the government of Ontario cancel its policy of forcing junior kindergarten on to local school boards."

It's signed by quite a number of my constituents, and I've affixed my signature to it as well.

TOBACCO PACKAGING

Mr Donald Abel (Wentworth North): Today being No Tobacco Day, it's most appropriate that I read this petition signed by many people from the town of Dundas. It's a petition to the Legislative Assembly of Ontario. It says:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

I also affix my name to this petition.

LAND-LEASE COMMUNITIES

Mrs Irene Mathyssen (Middlesex): I have a petition signed by a number of constituents from Middlesex and addressed to the Legislative Assembly of Ontario in regard to Bill 21, An Act to amend certain Acts with respect to Land Leases.

The thrust of this petition is the concern that Bill 21 has languished too long. The signers petition this Legislative Assembly to process the bill as quickly as possible and make the protections in it available to seniors in

land-lease communities and others who rely on these places for homes so that they can avail themselves of the same protections that other tenants in this province have.

I have signed my name to this petition.

INTRODUCTION OF BILLS

ONTARIANS WITH DISABILITIES ACT, 1994

LOI DE 1994 SUR LES ONTARIENS QUI ONT UN HANDICAP

On motion by Mr Malkowski, the following bill was given first reading:

Bill 168, An Act to ensure Equal Access to Post-Secondary Education, Transportation and Other Services and Facilities for Ontarians with Disabilities / Projet de loi 168, Loi garantissant aux Ontariens qui ont un handicap l'égalité d'accès à l'enseignement postsecondaire, aux transports et à d'autres services et installations.

Mr Gary Malkowski (York East): This bill creates the right of access for people with disabilities to the following facilities and services: post-secondary education, transportation, government publications, training programs and communication. A person who believes that his or her rights under the act have been infringed may file a complaint with the Ontario Human Rights Commission.

ORDERS OF THE DAY

AGRICULTURAL LABOUR RELATIONS ACT, 1993

LOI DE 1993 SUR LES RELATIONS DE TRAVAIL DANS L'AGRICULTURE

Resuming the adjourned debate on the motion for second reading of Bill 91, An Act respecting Labour Relations in the Agriculture Industry / Projet de loi 91, Loi concernant les relations de travail dans l'industrie agricole.

Mrs Irene Mathyssen (Middlesex): As a member from a largely rural riding, I'm pleased to be able to join in the debate and offer my perspective on the legislation before the House, Bill 91, the Agricultural Labour Relations Act.

I think there are a number of quite important provisions in this bill. I'd like to focus on its intent, the effect that it will have on factory farm workers and the manner by which it came to this stage of the process. I'd also like to remind the House that the agricultural community asked for this bill, and I think part of the reason is the fact that Ontario is among the last of the provinces to provide this type of protection, this type of legislation. That in itself speaks volumes in terms of our need to catch up and afford protection to workers at factory farm operations.

1510

In addition to the right to organize and bargain collectively will come rights in regard to health and safety. Because this bill exempts the family farm, the people affected will indeed be those who are employed on factorylike places like mushroom farms, the horticultural sector and large processors. These operations employ anywhere from 50 to over 100 people at locations across our province.

In total, after Bill 91 passes, about 18,000 year-round employees will benefit from this legislation and 14,000 seasonal workers following the passage of regulations. That is 32,000 people living and working in this province of Ontario who would otherwise be excluded from some extremely important safeguards: the right to organize, the right to bargain for fair wages and the right to insist upon a safe workplace.

This last issue is one that I think needs to be examined, and examined very closely, because of the current situation on some farms in the community: factory farms and those places where conditions are just not acceptable. The reality is that because of those conditions on some farms—and I want to emphasize “some factory farms”—workers have been put at risk. We’ve all heard of these places, and we have an obligation to move ahead on the health and safety problems that do exist.

A significant number of operators in the factory farm sector use homemade machinery that is never inspected. In the past five years there have been six deaths on mushroom farms. Three of the victims died in the shredders. This is a situation that must be addressed, and a very effective way to address it is through health and safety standards that can be enforced by workers as a result of a collective agreement.

We’re obligated to provide the legislative framework that will help reduce the kind of dangers that some workers face. I know that responsible factory farm operators support this legislation as well, because they want safe workplaces in their industry. They want their workers to have this margin of safety and they don’t want their reputation besmirched by those who don’t take the kind of care that’s needed to ensure that workers in our society are not endangered.

There’s a great need to reduce the number of these preventable accidents. The cost in human suffering and the loss to Ontario families is unacceptable. This bill is a step towards ending these accidents, and that needs to be very clearly stated and very clearly stated as often as possible.

I’d also like to spend some time discussing the process by which we arrived at the recommendations that led to agreement by stakeholders to Bill 91, the bill before us. The Ministry of Labour established a special task force with representatives from labour, commodity groups and the Ontario Federation of Agriculture in early 1992.

Their June report recommended the extension of the right to organize to all employees engaged in agricultural or horticultural work if there could be a separate labour statute for agriculture, a prohibition on strikes and lockouts, the creation of a binding dispute resolution mechanism and the establishment of educational programs on labour relations.

The government agreed with the task force and extended its mandate to develop recommendations on the appropriate statutory framework and dispute settlement mechanism. In the late summer and fall of 1992 the task force continued in its efforts and once again, in November 1992, reached a consensus and provided advice to the Minister of Agriculture and the Minister of Labour that right to organize be extended to seasonal workers once

the regulation was passed, to facilitate the establishment of a farm labour-management advisory board to advise the government, to create special rules for farm owners and family members and to provide resources and data to arbitrators to assist in decision-making.

These recommendations became the basis of the bill that we see before us today, and I want to go back to what I said before, that there was a consensus among all of these stakeholders. They came to the government and said, “This is the kind of bill that we need.” This is precisely the bill that we see before us.

The process has been long and complex, but it has been well worth the effort inasmuch as this kind of consultation—listening and respect for the recommendations of the stakeholders—has produced what I think is a very strong piece of legislation that will successfully accomplish the purpose for which it was intended.

This, of course, as you well know, Madam Speaker, is not the first nor will it be the last time that this government has had mutually beneficial consultations with the agricultural community. That has allowed us to move forward with important policy for the people of this province.

You will recall that in February of this year this government passed the Environmental Bill of Rights. The Environmental Bill of Rights is Ontario’s most significant environmental legislation in the past 17 years. It fulfils our long-time commitment to provide the people of Ontario with a greater say in environmental decisions affecting their lives and their communities and it ensures increased government accountability for the environment.

When the Minister of the Environment, the Honourable Ruth Grier, began that process to establish an EBR for Ontarians, there was some concern in the agricultural community because of fears of nuisance complaints.

We all know that in the last few years the trend has been for more and more urbanites to move to rural areas in order to enjoy the benefits and the quality of rural living. Most of these ex-city dwellers move smoothly into our rural communities. They’ve become involved in our neighbourhoods. They make an important and welcome contribution in our schools, our social and our economic activities, and they are most welcome.

There are some, however, who don’t understand that a working farm is not a static place like we see in postcards and picture books. It’s a place where people, men and women in our communities, earn their living by producing the products that we need for domestic consumption and for export. In fact this very dynamic sector of our economy is our second-largest industry. We produce 35% of all Canadian agricultural production.

You can see that in addition to the importance of the agricultural community to our economic wellbeing, it has become a place that has been rather idealized, and we have to put things into perspective. These are working farms, as I said, where men and women earn their living.

In addition to the fact that this sector has felt some concerns regarding the invasion by ex-urbanites, farm communities have had to deal with low commodity prices for their goods and the realities of a very difficult

recession. We know in this province that in 1989 we began to see a downturn that has had a catastrophic effect in some sectors. We're moving out of that. We're moving out of it very quickly now, very effectively, but those lingering problems still exist in rural Ontario and we have to have special understanding of that.

The stress that all of these things has placed on rural families is quite significant. We, as a government, were and are determined to work in partnership with all sectors of Ontario society to bring about positive changes that Ontarians were demanding in September 1990. You'll remember that day, Madam Speaker, because Ontarians said very clearly that they wanted significant change in this province. In the last four years we've seen that kind of change, marked with collaboration with the government, partnership and consultation.

In the late fall of 1990, when the Minister of the Environment took steps to implement the Environmental Bill of Rights, the farm community worried that it might be faced with nuisance complaints regarding noise, dust or odours from people who are unfamiliar with the normal farm practices that most in rural communities understand, and that complaints or statutory interference could make farming and earning a living from agriculture all the more difficult.

In response to that concern, representatives from the Ontario Federation of Agriculture had full access to the advisory committee of stakeholders that had been charged with the task of consulting with Ontarians in order to advise the government on the proper principles and possible content of an Environmental Bill of Rights.

As a result, under section 84 of the EBR, normal farm practices are not subject to outside intervention. An action may not be brought until the plaintiff has applied to the Farm Practices Protection Board under section 5 of the Farm Practices Protection Act and the board has disposed of the application.

1520

Quite naturally, since the environment is of profound concern to rural communities, all of us would wish those causing harm to our precious resources, namely, farm land, to be stopped.

However, the responsible members of our agricultural community, and those are the vast majority of people in the community, are protected from those who are ill informed or simply bent on mischief.

It was essential to the minister and to this government that such accommodation be made, and in addition to this accommodation is the investment by our government, through the Ministry of Agriculture, Food and Rural Affairs, in green farm plans. In the next two years \$38 million has been made available to farmers who wish to voluntarily inventory their farm practices to make improvements to help protect the environment.

This kind of cooperation and respect for the opinions, the needs and the concerns of the members of the agricultural community is something of which I believe we can and should be proud. It has allowed us to fulfil some important obligations to the people of this province in a very constructive way, and it speaks of respect for

people and dedication to progressive and positive government for Ontarians.

That respect has helped us to build partnerships across Ontario within all communities, and that includes those affected by Bill 91. We have made sure that the special circumstances that exist in agriculture have been given full regard in this legislation. It's a bill that is fair, that extends rights to workers, protects the family farm and moves forward a resolution to the health and safety concerns of factory farm workers.

I'm pleased to support this legislation, and I would like to extend congratulations to the Minister of Agriculture and Food as well as the Minister of Labour and the task force, because it's their diligence that has helped to create this very important, very workable piece of legislation.

The Acting Speaker (Ms Margaret H. Harrington): Now we have questions or comments to the member for Middlesex.

Mr Bruce Crozier (Essex South): Just a couple of comments to the member for Middlesex: One thing that was said was that the Ontarians had cried out for this type of legislation, and I think one thing that some of the Ontarians are crying out for, that is, those in the agricultural sector, is that the minimum wage has been raised so high that there are some, many in fact, farmers, greenhouse growers, in my area who can't afford to hire agricultural workers any more. Some of these workers have come to us and offered that they would prefer to work for less money if they could only get a job for the summer. I think that's one thing that may result from this type of legislation, that in fact not only will the minimum wage be exceeded, but there may be an attempt to make it go far beyond that.

The other area I want to comment on is the fact that the workers will have rights. It's kind of interesting, and I make a point of this because you say the workers have rights, and not that I endorse it, but they don't have the right to strike. But you say if they do strike, then there's a long procedure that has to be gone through. Meanwhile, the farmer has a crop that's sitting there. That crop can't be harvested, and at the end of the day, the person who's going to suffer the most is the farmer, because if workers do strike, there's nothing in the legislation that's punitive to them. So you come back to the workers and you say, "Well, you shouldn't have struck."

So there are those two areas, I think: the effect it will have on agricultural wages and the lack of teeth in the legislation when it comes to strikes.

Mr Jim Wilson (Simcoe West): I'm pleased to comment briefly on the remarks that were put forward by the member for Middlesex. I would ask her a very direct question and hope she would respond to it. Who in her riding, given the nature of the riding that she represents, truly wants Bill 91, truly wants labour laws extended to the farm to the extent that this legislation requires family farms to become unionized? I represent a similar type of riding with a large rural component and I have found no one in my riding who speaks in favour of Bill 91.

We have seen and are seeing on a daily and weekly basis the effects of the NDP's job-killing Bill 40 labour

laws that have dramatically affected industry and business in this province and are discouraging people from investing in this province and coming to Ontario to set up shop. Now the government, having learned nothing from that experience, is extending similar labour laws to the farm community.

I've had many constituents indicate to me that if employees strike, they really are holding a huge gun, in fact a bazooka, to the owners and operators of the family farms in my riding; that it is not a sector of our economy that needs these laws as proposed in Bill 91; that there is no demonstrated need out there other than in the ideological minds of the NDP government here at Queen's Park; and that the people of Ontario, and most important the family farmers in my riding and throughout Ontario, overwhelmingly reject this type of legislation.

I ask the member to please tell me who wants this—are they farmers, are they family farmers?—and why the government is moving in this direction when the people of Ontario clearly do not want this legislation.

Ms Christel Haeck (St Catharines-Brock): I want to basically take up the challenge from the member for Simcoe West because, like the member for Middlesex, I have an agricultural component to my riding. Geographically, it probably forms about half of the riding, although not so population-wise. Probably the labour-intensive nature of the type of farming mirrors that of the riding of the member for Essex South, because Niagara grows more in the way of tender fruit crops, which require a lot more handpicking than most of the other types of farming that are practised by the different farm communities across the province.

I have met with horticultural workers who feel very strongly that they need this legislation, not just to organize themselves but to ultimately deal with the range of health and safety issues down the road. It would be very difficult to bring about health and safety legislation and bring forward these concerns without having in place an organization that can carry that mandate.

In my other life, I was on a steering committee that made a presentation to the Tory government. They had a committee that travelled the province dealing with agricultural health and safety. It was very much a concern among the different horticultural workers, but they frequently felt themselves disfranchised. As immigrant women working on the mushroom farms not too far from my home, they felt they could not raise these points without having an organization. We need this change.

Mr Kimble Sutherland (Oxford): I want to respond to the comments by the member for Middlesex. The member has been doing a very effective job of representing the interests of the rural part of her riding, which makes up the largest portion of her riding, and the many fine people in Middlesex who make such a significant contribution to food production in this province.

I didn't hear all the comments by the member for Middlesex, but I was wondering if the member, in her two-minute response, would be able to comment on what she thinks about the fact that there is a certain organization going around the province claiming that it represents the interests of farmers. This group is called

Ontarians for Responsible Government. They're saying, "We're looking after the interests of farmers."

1530

It's my understanding that Ontarians for Responsible Government is an umbrella arm of the National Citizens' Coalition. From what I know about the National Citizens' Coalition, this group opposes supply-managed systems. They see this somehow as a subsidy to farmers.

I would be interested in knowing what the member for Middlesex thinks about an organization that fundamentally opposes supply management in our agricultural sector and now claims, despite having no other track record in representing the interests of farmers and in some effects really opposing the interests of farmers, that it's looking after the interests of farmers by saying this bill is going to unionize the family farm.

The member for Middlesex in her remarks did a very effective job of pointing out that it's not going to unionize the family farm, and if we look at the track record of other provinces where farm workers have been allowed to unionize, it's only been about 3% to 4%. They still have very viable family farms going on in those provinces and significant agricultural production.

I ask the member for Middlesex for her comments on that.

The Acting Speaker: The member for Middlesex has two minutes to respond.

Mrs Mathysen: I think I have quite a task ahead of me.

First of all, to the member for Essex South, perhaps if you read Hansard you'll see that my comments were rather more moderate than you would suggest, but I do wish to reiterate that the agricultural community wanted a separate piece of legislation to address their special needs, and I think that's important. Second, in my discussions with my community, once people understood what Bill 91 did, what it contained and how it would affect workers in the province, they were very supportive. They haven't given in to these scare tactics that we've seen out and about.

As far as the member for Simcoe West is concerned, I can only say that I think you show a rather profound ignorance of the collective bargaining process and organizing procedures. Very small units are not practicable in terms of organization. Second, we've been very clear that the family farm is to be protected. This bill is addressed to the larger operations where there are concerns regarding health and safety and lack of proper safety equipment.

Finally, thanks to the member for St Catharines-Brock; I appreciate her words and her support.

I would like to respond to the member for Oxford, because I too have seen these rather interesting road signs and I find it quite reprehensible that a group like Ontarians for Responsible Government, aka the National Citizens' Coalition, would have the audacity to say it's fighting on behalf of the family farm. Quite clearly, the survival of that entity in our society is dependent on the farm family being able to earn a proper living, and supply management is one way that happens. I want to

remind the members that the National Citizens' Coalition is also the bunch who refused to—

The Acting Speaker: Thank you. The member's time has expired.

ROYAL ASSENT
SANCTION ROYALE

The Acting Speaker (Ms Margaret H. Harrington): At this time, I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Lieutenant Governor has been pleased to assent to certain bills in his office.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): The following are the titles of the bills to which His Honour did assent:

Bill 120, An Act to amend certain statutes concerning residential property / Projet de loi 120, Loi modifiant certaines lois en ce qui concerne les immeubles d'habitation

Bill Pr71, An Act respecting the Capitol Theatre and Arts Centre (Windsor)

Bill Pr83, An Act respecting the City of Burlington

Bill Pr86, An Act to revive Tuberate Heat Transfer Ltd

Bill Pr90, An Act to revive Wordz Processing Corporation Ltd

Bill Pr93, An Act to revive North Toronto Christian School (Interdenominational)

Bill Pr100, An Act respecting Ontario Southland Railway Inc

Bill Pr104, An Act to revive North Toronto Business and Professional Women's Club

Bill Pr107, An Act respecting the City of Brampton

Bill Pr109, An Act respecting the County of Dufferin.

AGRICULTURAL LABOUR RELATIONS ACT, 1993

LOI DE 1993 SUR LES RELATIONS
DE TRAVAIL DANS L'AGRICULTURE

Resuming the adjourned debate on the motion for second reading of Bill 91, An Act respecting Labour Relations in the Agriculture Industry / Projet de loi 91, Loi concernant les relations de travail dans l'industrie agricole.

The Acting Speaker: Now we will resume further debate on second reading of Bill 91.

Mrs Margaret Marland (Mississauga South): On a point of order, Madam Speaker: If we're going to resume debate, I think it would be in order to have a quorum in the House.

The Acting Speaker: Please determine if a quorum is present.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Acting Speaker: Now we are resuming the debate on Bill 91. Further debate?

Mr Crozier: It's a pleasure for me today to rise to give a few words to the debate on Bill 91, An Act

respecting Labour Relations in the Agriculture Industry. I feel particularly obligated to do this because, as was referred to earlier, I come from an agricultural riding. I'm proud to say that we lay claim to being the Sun Parlour of Canada, as well as being rather good at growing tomatoes and other products.

In beginning on this, I think I should give a little background to the labour agenda and history of the New Democratic Party. When they took office in 1990, there was this agenda that there should be extended powers of unions. I use the words "extended powers" of unions, because I don't see anything wrong with them working with unions, but it's when that ideology takes you a bit too far one way.

Under Bill 40, you will recall, they introduced measures that would give unions more power and I think that limited the ability of small business to survive in the face of labour disputes. This, we think—and many of us know—has led to businesses leaving the province and to businesses cancelling any expansion plans.

Premier Rae and the Minister of Labour have to some extent sent out signals to the province that perhaps business isn't as welcome as it used to be. We've seen the legacy of this policy, I believe, in the continuing recession. For over a year the NDP has been saying the recession is over. Ontario has continued to notice plant closures and growing unemployment. In fact, in the first two months of 1994 there were 10,000 fewer jobs in Ontario than the year before. This must be compared to the fact that over 140,000 jobs were created in the rest of Canada. There are 590,000 men and women without jobs in Ontario, and even the NDP doesn't expect unemployment to drop below 10% in the next few years. The recession doesn't seem to be over in Ontario, and Bill 40 and the NDP's anti-business agenda are in large part responsible for that.

But now there is a second Bill 40, if you like, in the works. There's another plan by the NDP to attack business in this province—I'll call it "son of Bill 40"—that is directed to a significant segment of the economy that's been facing financial difficulties for many years. The NDP has turned its guns on the farmers of Ontario, men and women in small, predominantly family-run business in the agricultural area who are struggling to survive. The agricultural labour legislation known as Bill 91 will place yet another burden on an industry that's already in trouble. As the legislation is now written, it will add new union control to an industry that's very sensitive to any kind of labour dispute.

1540

That's some background and history. Now I'd like to talk about agriculture specifically.

Agriculture has played an important role in the local economy of rural communities across this province, and, as I said at the outset, more specifically I'm interested in it because of my riding of Essex South. The farming industry has gone through tough times for more than a decade, and we have no regrets about the large increases in the budget of the Ministry of Agriculture and Food that occurred under the Liberal government.

It's important to remember that Ontario is Canada's largest agricultural province, generating \$5.8 billion at the farm gate and over \$17 billion in total sales of agricultural products and contributing over \$1.6 billion to Ontario's exports. Between 130,000 and 150,000 people work on about 72,700 Ontario farms, with the total industry responsible directly or indirectly for one in five jobs in Ontario. The agriculture industry is second only in size to the auto industry and continues to be the economic foundation of rural Ontario.

During the first few years of the NDP's term in office, the agriculture industry faced one of its most difficult periods in the income crunch of 1991. During the year 1991, crop prices fell over 30%. Net incomes for the entire industry fell over 15% to \$1.31 billion, the lowest levels since 1985.

The government responded by delaying its promised support for GRIP and NISA programs and promising future financial assistance following the recommendations of the Hayes task force on farm finance. While still recovering from this latest crisis, the industry has also seen major provincial support programs cut back over the past two years as part of the government's cost-cutting. The major financial assistance funding programs promised by the NDP during the election, in the Hayes task force on farm finance, and in the agricultural investment strategy announcement of 1992 have never materialized. The \$120-million assistance that was promised to farmers disappeared under the province's spiralling deficit problems.

Far from providing any new assistance, the Ministry of Agriculture's budget has actually declined by more than \$100 million since this government took office in 1990. This is 20% of expenditures. If we think that decline is serious, we can only imagine what would happen if the Harris American revolution were ever to come to fruition, because what they are saying is—well, you have to go to two or three places to see what they say.

If you see what they say on television, they're not going to touch health, but they're going to cut spending 20% overall. Then if you go to the written material, they say, "We're not going to touch health and we're not going to touch the classroom part of education and we're not going to touch police services." But then if you read Hansard, they say, "It doesn't say anywhere in there that we're going to cut agriculture," so I guess that means they're not going to cut agriculture. If they go through all of this and keep saying, "We're not going to cut that one or another one," I don't know where they're going to find the funding cuts to pay for the \$4-billion tax reduction.

My point is this: If they do cut their spending the way they want to and if the NDP continues the way it's been doing, cutting over \$100 million since 1990, not only will agriculture be cut off at the knees, it will be cut off at the neck, and I certainly don't accept that in Essex South.

While many other ministry budgets have increased, funding for agriculture has declined, as I've just suggested, and as members of the third party would suggest, would further decline. Government spending, though, has increased 15% since the NDP took office, including an increase of 13% to the Ministry of Labour and an

increase of \$32 million for the Ministry of Citizenship, an increase of 58%. Meanwhile, agriculture funding has declined. I'll leave it to the government to explain these inequities.

One of the other major promises the government made to the agriculture industry since taking office was to support rural development. In fact, the ministry has even recently changed its name to the Ministry of Agriculture, Food and Rural Affairs. Unfortunately, that's all that's happened. The minister has no real new authority and no new funding. The NDP will likely spend more money just to change all the signs and the letterhead and vehicle signs than it will on any new rural development work.

The minister talks about doing some ombudsman work in consulting with other ministries as part of the ministry's new name. Meanwhile, the NDP still plans to go full steam ahead with the Sewell commission recommendations and make planning in the province more restrictive, more complicated, more time-consuming and less efficient. The Sewell commission simply adds more layers of bureaucracy and throws up more roadblocks to development as the NDP works to control all local planning in the province.

The Sewell commission report says, "We're going to give more authority to the municipalities." I came from a municipal background. The problem is that it's going to be so difficult to get that authority. There are so many levels of bureaucracy above—a couple of new boards—and there are so many conditions to meet before it ever gets handed to the municipality that I doubt some will ever give it, so I don't know how that can be making things easier. The Sewell commission's report, I suggest, will only hurt small communities which are trying to develop and diversify their economies. The NDP is doing more to prevent rural development than to encourage it.

When the government first started talking about its labour reforms after taking office, it made it clear it intended to remove the traditional protection family farmers had from labour disputes. The government planned to simply eliminate the agriculture exemption in the Ontario Labour Relations Act and subject farmers to the same provisions as all other businesses were to face. However, we heard farm groups across the province stand up and make it loud and clear to the Minister of Labour that this would seriously hurt the agriculture industry. In January 1992, the Minister of Labour agreed to an agricultural labour task force to quell the growing protest in the farm community.

1550

The task force was given the mandate to study the unique nature of agriculture in relation to labour reform. The task force was comprised of three representatives of farm employers, two representatives from organized labour, one representative from farm workers, and two staff from the ministries of Labour and Agriculture, Food and Rural Affairs who acted as co-chairs.

At the time, the minister said, "We want the task force to look at a wide variety of options, particularly the inclusion, under the Ontario Labour Relations Act, of factory-like agricultural operations, but certainly not the family farm." The NDP led farmers to believe that the

report of the task force would be used as input into the changes planned under Bill 40. Unfortunately, the Minister of Labour just simply went ahead and introduced Bill 40 before the task force was finished. In fact, the final work of the task force, including its specific recommendations, was not released until the fall of 1992.

With Bill 40, the NDP removed the agriculture exemption under the OLRA, removing all protection for the farmers. This action was nothing less than a threat designed to intimidate farmers and farm groups to agree to the reforms under the work of the task force. Farmers were now dependent on the government bringing in additional legislation to protect them.

The task force ended up recommending a number of specific measures designed to protect agriculture and the industry and family farms, such as preventing strike action, separate legislation instead of amendments to the Ontario Labour Relations Act, and exempting family farm members from collective bargaining.

Many individuals and farm groups worked long and hard to ensure that the task force provided a reasonable framework for recommendations, in the face of the government ultimatums to reform and in the face of the reality that the exemption for agriculture was removed under Bill 40.

I want to emphasize my support for the difficult work done by farm leaders in the work of the task force. Although there were only two farmer representatives, I believe it is, on the task force, farm leaders from across the province worked through the labour issues coordinating committee to ensure that the farm task force members had input from across the country.

Mr Speaker, it must be dry up here.

Mrs Ellen MacKinnon (Lambton): Not outside.

Mr Crozier: Not by the sounds of things.

Those working on the issue did not have an easy task. Faced with the reality that the government would not budge from its ideological agenda to bring farm workers under the Labour Relations Act, farm leaders across the province were successful in drafting recommendations that met the NDP's demands and yet gave protection to the family farm.

What is unfortunate is that the government would put farmers in this kind of defensive position. What is unfortunate is that at a time when agriculture is facing serious financial problems, when farmers are struggling to survive, the main priority of the NDP was to bring farms under the Ontario Labour Relations Act. The NDP's agenda did nothing to help the real problems of farmers.

To make sure that the NDP realizes how fatally flawed the legislation is, it's important to point out that there were 11 major flaws in the legislation that was brought in, 11 major broken promises in the eventual Bill 91 that's before us now.

Mr Sutherland: What? How do you come to that conclusion? How can you say it's a broken promise?

Mr Crozier: We're demanding that the Minister of Labour address each one of these issues before proceeding with legislation.

Mr Mike Cooper (Kitchener-Wilmot): That's done.

Mr Crozier: The thunder isn't the only thing that's annoying.

The first was the failure to create a sufficiently separate statutory framework: The task force recommended the creation of a separate statute for the agriculture sector, to be called the agriculture labour relations act. The task force noted the unique characteristics of the agriculture industry, including seasonality, climate sensitivity, time sensitivity, supply management, and the need for the maintenance of continuous processes to ensure the survival of animals and produce. I could go on and explain the other recommendations under that part of their 11 major problem areas.

The second was the failure to create a sufficiently separate administrative body.

The third was the failure to emphasize the unique nature of agriculture.

The fourth was the failure to prescribe a comprehensive and flexible definition of agriculture.

The fifth was the failure to prohibit strikes, which I've spoken to before. I think this is an important issue, because even though the legislation says that you cannot strike, there's nothing that we can physically do to prevent an organized group of workers from walking away from a crop. If that's done and if there can't be substitute workers, then the crop is lost, and yet there's nothing in the legislation that then takes those strikers to task and punishes them, so the only one to lose in all of that is the farmer.

Sixth, there's a failure to provide an adequate dispute resolution system. No matter what's listed in the legislation, and there's quite a long list under the way a dispute is settled, my point is that the damage from the dispute is done before the method of resolving it ever kicks into gear.

The failure to implement specialized services and education support was the seventh flaw that was found.

The eighth was the failure to exempt family members, and yes, I believe the legislation eliminates husband and wife and children and siblings, but a lot of family farms are made up of a lot broader family than that. There may be an uncle working on your farm; there may be an aunt; there may be some cousins. I think the family aspect of the farm should be much expanded.

The ninth was the failure to exclude seasonal workers, and that's important in our area, when you get into the greenhouse industry, where we have offshore workers, or for that matter in any of the crops. If they're seasonal crops and you miss the season, by golly, you've missed your income for the year.

The 10th was the failure to exempt sharecroppers.

The 11th was the failure to specify appropriate access to farm property during a labour dispute. As I said, the crop could sit there and rot, or it could have been harvested and sit and rot.

To sum up, there are these 11 specific questions that need to be addressed before the legislation is acceptable, so I ask these questions:

Why has the NDP refused to create a separate agriculture labour relations act, one that does not constantly refer to the Labour Relations Act that we have in effect at the present time? In fact, when it comes to amendments, I see there are a number of sections where the government recommends voting against sections that exempted this piece from the Ontario Labour Relations Act, yet it will depend to a very great extent on that act. 1600

Why has the NDP refused to create a separate agriculture labour relations board? Why has the government refused to recognize specifically, in the preamble of Bill 91, such issues as climate conditions, seasonal variations and the perishability of produce and livestock? Why has the government refused to define "agriculture" under Bill 91? Why has the government refused to implement provisions to prevent strikes from occurring under Bill 91? Why has the government refused to implement the dispute settlement process as recommended by the task force? Why does the government refuse to implement the task force-proposed, labour-management advisory committee?

Why does the NDP refuse to exempt all family members from requirement to unionization? Why does the NDP refuse to properly define "seasonal workers" under the legislation and why are share growers not adequately protected from being included under this legislation? Finally, why has the NDP failed to address the health and safety of livestock and crops in allowing access to farm operations for organizing purposes?

Failure to implement any one of these task force recommendations breaks the promise that the minister made to farmers in this province and unnecessarily threatens the family farm.

In conclusion, the government has promised amendments. We will be waiting to see if they address the wide range of problems that we've raised today. Farmers will not support this legislation if the minister fails to fix the bill, and neither will we.

The only things farmers can trust is that if the NDP continues to refuse our demands to fix Bill 91, we will fix it after the next election and protect farmers in the sensitive agriculture industry from strikes and other labour disruptions.

A Liberal government would give farmers the respect and assistance they deserve, something that's been missing for the last four years.

The Acting Speaker: Now we have time for questions or comments to the member from Essex South.

Mr Jim Wilson: I appreciate the remarks made by the member for Essex South. At the beginning of his remarks regarding this labour bill he commented on the Mike Harris Common Sense Revolution, and all I can say to the member is that he hasn't read our document.

He accuses us in his remarks today of not finding enough spending cuts to justify the 30% reduction in the provincial income tax rate, the removal of the employer health tax for businesses with payrolls under \$400,000 and the other good initiatives that we put forward in our plan to create 725,000 private sector jobs in this province.

Those aren't government jobs; those are jobs that will be created in the private sector.

We know we're on the right track, even though we've known it for a number of years. We even had the admission some three or four weeks ago in the government's own budget when the Treasurer, Mr Laughren, for the first time in four budgets acknowledged that the only way to create jobs in this province is to lower taxes, and we do that. In order to lower those taxes in a significant way, which would give us the lowest tax rates in North America and attract businesses to our province once again, we identify in this document \$5.53 billion of cuts to government programs and government spending. We want to get government spending under control and reduce it.

We identify areas like decreasing the number of MPPs from 130 to 99 to match the number of federal MPs we have in Ontario. We cut the size of the bureaucracy by some 13,000 people to bring us back to 1985 levels around here. We reform welfare in a compassionate way and, frankly, a number of the poverty groups and welfare reform groups agree with the approach that we want to take to welfare reform in getting people back to work in this province, and in the process we will save \$1.7 billion. In total, we identify \$5.53 billion. We need \$6 billion to reach our goal to lower taxes. We only have to find half a billion more and we ask the people of Ontario to help us in that process.

Mr Cooper: I would like to thank the member for Essex South for his participation in this debate. I think basically what the member debated at the very beginning was quite good. There are things that need to be done to assist the farmers and things like that. But near the end, where he got into the actual labour things, I think what he has to do is understand more about how labour relations work and what would happen and what the responsibilities are for unions if they do just walk off the job and the penalties that would be applied there.

As for his further comments about the things that have really been missing in this legislation, this whole piece of legislation and the whole direction has been founded on a consensus thing and, as he knows, the amendments that address the exact problems that he brought up about the climate nature and the perishable nature of agriculture etc are all included in these amendments. If we could get out of the House and get into the committee process where the work is actually done, we could table these amendments. I think the farmers and the opposition members would find that most of the things they're raising as concerns will be addressed in these amendments, and we can get on with this legislation and get around to the more important things such as getting the farmers some of the things they need.

Mr Allan K. McLean (Simcoe East): I want to comment briefly on the member for Essex South's remarks that he made here, where he indicated that if it wasn't amended the way that they see fit, they would not be voting for it. My colleague, our Agriculture critic, Noble Villeneuve, has stated very clearly right from the beginning where we stand. It's very clear that we don't agree with the bill at all. We believe that it is an exten-

sion of Bill 40, the labour bill, the job-killing bill in this province that drove jobs to every place except Ontario. This response from the Liberal member indicating what he foresees within this legislation is totally unacceptable to us. We don't want to put another burden on farmers in this province.

I happen to be a dairy farmer. My son and his wife are running the farm now. Now they have no hired help because of the red tape and bureaucracy that goes through with farmers today. Here we are, adding another layer of bureaucracy and trying to organize the farms.

Mr Cooper: He won't be affected.

Mr McLean: He won't be affected because he has no help. But I'll tell you, he would have help if there was not the bureaucracy there that has him filling out, for hours and hours every month, papers to send to government. That's what this is: adding on to the bureaucracy.

Interjection.

Mr McLean: You see, it's interesting for people in this House to talk about the agricultural industry, which they know nothing about. They have no idea what goes on in the agricultural industry. They have no idea the work they do from 5:30 in the morning until 7 or 8 o'clock at night, feeding the people of this country. I know what they do. It's unfortunate that some other people here want to put more bureaucracy on the farm community. I don't. Our party does not. We have been clear from the start. When this bill becomes law, if it does, it will go the same way as Bill 40 within 100 days after we take power. I think that's the only acceptable place for it: in the garbage.

1610

The Acting Speaker: The member from Essex South has two minutes to respond.

Mr Crozier: It's very interesting, and there are so few left from the government side that I feel obligated to respond to a response. But I want to make something very clear about my friend in the third party, and I hope, in the time I took to speak, that some of my farming friends were able to get in out of the rain and watch what was going on because my friend down here said—and they have it in writing—that they will take the seats in the Ontario Legislature from 130 to 99.

You know what will happen? There'll be one less Metro representative; there will be 30 less rural and small urban representatives. You know what that'll do to those areas outside Metro Toronto? It'll reduce our influence on Metro Toronto. My friends over here don't care whether we have reduced say in this place.

Mr Bill Murdoch (Grey-Owen Sound): You have no idea what's going on. Obviously you don't know what's going on.

Mr Crozier: But I do. When they go and look at the electoral map and see how it will reduce the voice of rural and small urban Ontario—

Mr Murdoch: I am sure you don't care. Maybe you should.

The Acting Speaker: The member for Grey-Owen Sound, come to order.

Mr Crozier: —then they certainly won't agree with reducing the number of representatives in this Legislature.

The Acting Speaker: Further debate?

Mr Jim Wilson: I'm pleased to rise for a few moments and speak on Bill 91, An Act respecting Labour Relations in the Agriculture Industry.

Before I get into quoting some of the remarks from a survey I did in my riding recently, I want to take up the challenge from the previous Liberal speaker, the member for Essex South, and indicate to him that the people of Ontario are sick and tired of big government.

They do not want to see more MPPs in this province; they want to see fewer. They say to me that it's not the numbers that count, it's the quality of people they send to this Legislature to represent them, and 99 MPPs will represent this province well if we send good people here to do the job. We have 99 MPs in this province that we send to Ottawa and that is enough. People are tired of big government. The big government of the 1970s and the 1980s is over, folks. The game's over. There's a new game; it's called the Common Sense Revolution.

The fact of the matter is that we've got to get serious about bringing down the size and cost of government, and this refers to the bill we're studying right now, which calls for more government, more bureaucracy on the family farm, more papers to fill out.

In essence, what Bill 91 does by bringing in unneeded, unwanted labour laws to the farming community and to our agricultural industry is sour the good relations that we've enjoyed between farmers and their employees, between farmers and their families, among members of farm families, the good relations that we've enjoyed for centuries in this province without these types of laws.

These laws say to farmers, "You're bad people and the state has to come in and tell you how to run your operation," as you've done with Bill 40 and your labour laws in the other sectors of the economy. You send a very negative message to the people of this province and particularly the farming community. You add a layer of suspicion in that community that is not needed and that sours relations. I say, shame on you. It is not needed; it is not wanted.

I did an extensive survey of my riding on this bill and other issues I outlined and had a third party look at the wording of the survey to ensure that it was as fairly worded as humanly possible, giving the pros and cons of the legislation.

Mr Murdoch: On a point of order, Madam Speaker: I know my colleague is going to present a very important point here and I understand that the government of the day really doesn't care about agriculture, but it certainly would be nice that there be more than four of them in here when we're speaking and they would have a quorum. I don't believe there's a quorum.

The Acting Speaker: Would the clerk please determine if a quorum is present.

Acting Clerk Assistant (Mr Todd Decker): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Acting Clerk Assistant: A quorum is now present.

The Acting Speaker: We may resume the debate. The member for Simcoe West.

Mr Jim Wilson: I'm glad more members have joined us this afternoon to help debate this important but not needed piece of legislation, Bill 91.

I want to prove my point so that it's not just me coming here speaking without having done my homework. As always, I've done extensive homework on this piece of legislation. I did an extensive survey of my riding. As I was saying before the quorum call, that survey was worded in a way to give the pros and cons of this legislation to the entire number of households in my riding.

Just about 85% of the 1,000 people that responded to the survey—and I'll note that just over 1,000 people responded. That's as large as any Gallup poll, any Decima poll, any poll that's done on the national scene, and this was a survey simply done in my riding. It was a written survey, so it wasn't just a phone interview.

People had to take an extensive amount of time to fill out the 17 questions and to provide me with their comments so I could bring them to the government's attention today, and I want to tell you, you're getting an earful from the people of my riding, and I hope to goodness you'll consider some of the comments that people passed on to me to pass on to you.

As I said, 85% of the people that responded to the survey were opposed to this legislation after having given it extensive thought. This represents overwhelming opposition to this bill. It has been our contention since the very beginning that this legislation is not needed; that there is no good reason other than some ideological hogwash from the NDP; that they want to extend their labour relations tentacles into the farming community now.

No place, no industry, no sector of our economy is sacred. They want to extend their ideology before they leave office. One of their parting shots is now Bill 91. They want in fact to bring soured relations, to bring deteriorating relations to employers and employees in the farm communities.

Some of the reasons for opposing this legislation include: the legislation gives too much power to unions; it will facilitate increased unionization; it will give workers extraordinary powers to hold farmers hostage at harvest time; it will undermine the competitive position of Ontario farmers; too many farmers are finding it difficult enough at this time to make ends meet; government should not interfere with business; and unions are currently crippling our economy.

Those are all summaries of comments from people in my riding, and I want to give you the specifics.

Bruno Demilis of Tottenham opposes Bill 91. He says, "Show me a handful of farmers in southern Ontario that make a good living on a farm without outside work or subsidies."

Larry McQueen of Collingwood opposes Bill 91. He says, "If farm workers want big bucks, what will happen to the farms?"

John and Carolyn Westlake of Beeton oppose Bill 91. They say, "Unions are killing North America and Europe versus the rest of the world."

Paul More of Creemore writes: "Farmers are going bankrupt. Consumer prices will go up. The supermarket chains are the ones that are making all the money."

Sean Lawes of Collingwood opposes Bill 91. He says: "These employees should be covered by employment legislation already in place in a general sense. This should be adequate."

T. Ridding of Collingwood opposes Bill 91, saying the bill "spoils the market structure."

Marian Newson of Collingwood opposes Bill 91. She says: "Let them work like the rest of us. Stop handouts."

Maria Benjamins of Cookstown opposes Bill 91. She says, "If farmers were paid a fair price for their produce, they could pay their workers better."

John Trude of Collingwood opposes Bill 91. He says: "Too much government interference in labour laws already. The list of businesses closing down due to high labour costs caused by unions is already too long."

1620

Don Lighthall of Thornton opposes Bill 91. He says: "Unions have led to the downfall of a number of business sectors. Don't finish off the farming industry."

G. Ayers of Thornton opposes Bill 91: "I presume that agricultural labour already has the same rights as others. Ontario agriculture already cannot operate without imported labour for labour-intensive crops. This would be a case of eliminating farm jobs for the very few that want them."

Dave McKee of Collingwood opposes Bill 91: "There is no way that a farmer, given his margins, should be subjected to this nonsense. He makes no money as it is."

W.R. Dunnell of Alliston opposes Bill 91: "We have too damn many unions now."

Theresa Reid of Everett opposes Bill 91. She says, "Farms must be free enterprise with mediated negotiations as required."

Grant Brownridge of Beeton opposes Bill 91. He says, "The government should stay out of the farm labour business."

Carolyn Milne of Beeton opposes Bill 91. She says: "Unions have seen their day. Farmers must be competitive."

Allan Stewart of Alliston opposes Bill 91: "We are already overloaded with counterproductive labour legislation."

Dave Chandler of Collingwood opposes this bill: "This is another area that survived without the interference of government bureaucracy for many years."

John Amero of Angus opposes Bill 91. "Unions have ruined our country," he says.

D. Barr of Collingwood opposes Bill 91: "International competition is fierce. Unionization will totally destroy any semblance of our ability to compete."

Charles Clive of Tottenham opposes Bill 91: "Such a move could result in stoppages that would cause short-

ages and rotting produce."

William Wheatstone of Collingwood opposes Bill 91: "We are not dealing with corporate farm businesses in Ontario. Farms are basically family owned and run."

Dave Robertson of New Lowell opposes Bill 91. He says, "Collective bargaining rights would not guarantee an improvement for farm workers."

Eric and Karen Burgess of Tottenham oppose Bill 91. They say: "Collective agreements and unions have crippled our economy. They are confrontational and in the public sector alone are costing a fortune."

Joyce Smith of New Lowell opposes Bill 91. She says, "Unions have become a bad deal for both management and labour and have literally priced many manufacturing units out of operation."

M.A. Edwards of Collingwood opposes this legislation: "The next government must reverse recent NDP legislation giving the unions more power if Ontario is to prosper again."

W. McPhail of Tottenham opposes Bill 91: "Government shouldn't interfere in business."

Ellis Gates of Collingwood opposes Bill 91: "Who would harvest the crops if there are union problems?" It's an extremely good question.

Larry Culham of Angus opposes Bill 91: "In large factory farm settings, I feel collective bargaining risks are okay. But I don't think the impact on small farm business would be fair."

Werner Syndiks of Colgan opposes Bill 91: "We will be under increasing outside pressure through GATT and NAFTA," and he doesn't feel Bill 91 will help farmers compete.

Tom Perry of Tottenham opposes Bill 91: "Ban all unions in any way, shape or form. They're outdated and not needed today."

John Sanderson of Beeton opposes Bill 91: "The competitiveness of Ontario's farmers is a higher priority in these economic times."

Peter Naisbitt of Beeton opposes Bill 91: "We need less interference by government."

M. Schneider of Collingwood opposes Bill 91: "Unions have had more than enough encouragement to expand in every endeavour by the current government or abuse by employers."

John Wiggins of my riding opposes Bill 91: "Collectivism cannot and does not work. Whole libraries have been written in the last 140 years or more detailing why."

Joe McCarroll, a very good friend of my family in Alliston, opposes Bill 91: "It could be the finish of many farmers."

J. McCaffrey of Collingwood opposes this legislation: "Farmers will find themselves being held up at harvest time to the detriment of all of us."

Rad Whitehead of Collingwood opposes Bill 91: "The province should enact right-to-work laws that allow individuals the choice of whether to be represented by a union or not."

J.W. Newton of Beeton opposes Bill 91: "Just another

burden on a different enterprise. Workers' compensation costs are excessive."

John Nichols of Collingwood opposes Bill 91: "Most family farms can barely operate now, without the added expense of this legislation."

John McGillvray of New Lowell opposes Bill 91: "With minimum wage laws, labour laws etc we do not need all this extra protection. I honestly don't know what the need is here."

Ray Bevan of Collingwood opposes this legislation: "It will break the backs of most farmers that are just getting by."

Rod Brown of Collingwood opposes Bill 91: "The prohibition clause is almost laughable. A slowdown is basically a stoppage in perishable commodities."

Mildred Lockhart of Collingwood opposes Bill 91: "Farmers can hardly make a living now. How do you unionize the weather, cattle etc, etc?"

Dave Miles of Alliston opposes Bill 91: "A farm is a business. No other business is impacted by anybody outside the bargaining unit."

And J.N. Glover of Wasaga Beach opposes Bill 91 when in summary Mr Glover says, "Organized labour has gone too far."

It is clear where my party stands on this piece of labour legislation that is not needed and not wanted by the people of this province. It is clear where my party and our leader Mike Harris stand on Bill 40, the job-killing NDP labour legislation that was brought in last year. We will scrap this legislation. As my colleague the member for Simcoe East noted just a few minutes ago, it will end up in file G for "garbage" if the people of Ontario see fit to elect us in the next election. That is where this legislation should end up, in the heap of garbage, in the pile of ideological nonsense, in the trail of garbage that is left by this government and its ruinous ways, ways the people of Ontario don't ask for and don't want.

This bill is an attempt by the government to correct a perceived wrong, a very suspicious approach at best, and I'm being kind in my words. It is a perceived wrong. I live in farm country. My ancestors have been farmers in our area for more than 160 years. We do not want this legislation. There is no one in my riding who has asked for this legislation. Eight-five per cent of those who responded to an extremely extensive survey not only checked off the box saying they were opposed to this legislation but wrote extensive paragraphs telling me why they were opposed.

1630

Mr Chris Stockwell (Etobicoke West): On a point of order, Mr Speaker: I don't think there's a quorum.

The Deputy Speaker (Mr Gilles E. Morin): Is there a quorum?

Senior Clerk Assistant and Clerk of Journals (Mr Alex McFedries): A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Senior Clerk Assistant and Clerk of Journals A
quorum is now present, Speaker.

The Deputy Speaker: The member for Simcoe West.

Mr Jim Wilson: As I was saying, it's very clear where this legislation will end up should my party form the next government after the next election in this province, and I want to just comment briefly on the Liberal Party's position or lack of position on this.

It was a couple of weeks ago, three weeks ago or so, that the Liberal caucus called for an opposition day motion, and we debated an opposition day motion with respect to this legislation, or the somewhat dubious contents of this legislation at that time. At the end of that debate, it was very unclear to me where Lyn McLeod and the Liberal Party stand on this legislation.

We heard the member for Essex South just a few minutes ago in this House, during his time for remarks, remind us that his party will try to fix the legislation if they form the next government. That's not good enough for the people of Ontario any more. In case the Liberal Party hasn't noticed, people don't really trust politicians. It has a lot to do with the NDP's record in government and it has a lot to do with the previous federal government, I will say. In this day and age, they want to know where you stand and they want you to have the courage to go to Queen's Park on their behalf and to take firm stands, the stands they've sent us here to take.

Some 85% of my constituents who responded to the survey very clearly have made up their mind on this legislation, yet we hear from the Liberal caucus that they're going to perhaps fix this legislation if they form the next government. That isn't good enough. We're scrapping the legislation. I want members of the Liberal caucus to tell us exactly what they're going to fix.

I thought the heckling during the member for Essex South's presentation was quite good from the NDP side when a number of members said: "How are you going to fix it? Tell us how you're going to fix it."

It's not good enough any more, folks over there, to run on John Chrétien's coattails and it's not good enough to not have a position. You've got to have a position about legislation, you've got to have a position about important issues so that the people won't just throw out the NDP government. What we're trying to do is convince the people this time around: "Hey, folks, we know you're going to throw Bob Rae out. We know you're going to throw out the NDP government, but please think about what the alternative is."

Unfortunately, the people of this province can't form an opinion on what the alternative is if we don't know where the Liberal Party stands on these important issues. That's my challenge to them. I'm sure during their opportunity to speak this afternoon they'll want to respond to that challenge.

We are very clear where we stand on this legislation and on other legislation. We're not fudging, and we believe it is the honest and proper way to approach the people of Ontario, not only bringing their concerns forward in this House but in responding to those concerns in very clear ways so that people know where the parties stand on the issues; so that we won't just throw out a government next time around but we'll have actually put

some thought into what the positive alternative is to be. We will give the next government in this province a mandate to make the changes, to cut government spending, to cut the size of the bureaucracy, to cut taxes—a mandate to get this province moving in a new direction.

The Deputy Speaker: Questions or comments?

Mr Sutherland: I want to respond to the member who just spoke. In his comments he cited these surveys that have come back in from his constituents who say they're opposed to the legislation, and he takes this as saying they're opposed and, "You shouldn't go forward with this legislation."

But if you listen to the comments he read out from his constituents, it's clear many of them have not had the legislation explained. The member failed to explain it to them. One letter he read said, "I presume they already have the same rights as all other labourers," and that's the point. They don't have the same rights, because the Tories thought they shouldn't have the same rights, even though Tory governments in other provinces have allowed farm labourers to have the same rights as other workers to come together and organize.

Another comment was, "Stay out of the farm labour business." The point is that the Tories got into the farm labour business by putting this restriction in in the first place. If you listened to the comments put forward, I believe the member was trying to be sincere, but it became very clear through the comments that he has not explained the legislation to them.

There were comments about what a stoppage will do, causing damage through lost crops. Read the legislation. They can't go on strike, because the legislation recognizes the unique nature of agriculture. Unfortunately, the member didn't want to explain that to his constituents, so it's little wonder they are opposed to the legislation. Maybe he should take the time to explain the realities of the legislation.

With respect to his comments about elected officials having the courage to take a stand, the Common Sense Revolution says, "We're going to create 750,000 jobs and 3% economic growth." Check the five years the Liberals were in and how many jobs they created. You've got to have a lot more than 3% economic growth to create those jobs.

Mr Crozier: I too would like to make a couple of comments to the last speaker. When he made the comment that the electorate doesn't trust politicians, I don't recall at any time during the by-election in which I ran that anyone said to me they didn't trust me. As a matter of fact, I might modestly say they elected me, by a somewhat slim majority, mind you, but at least I was elected and at no time did they say they didn't trust me.

I'll give you one example of who they didn't trust. There was a majority government in Ottawa the last time around. They sure didn't trust them, because they just about wiped out the PCs. Mike Harris realizes that, because he chooses not to even call himself a PC any more.

I suggest what will happen this next time, when they make these promises that are only based on other prov-

inces—they're only reducing the tax level to 40-odd per cent because it's slightly lower than Alberta. They're only suggesting that we have fewer members in the Legislature, but they don't say 90 or 80 or 95; they follow the federal government and say we'll have 99.

As I said, the one proof we have right now that politicians aren't trusted is that they don't trust the Progressive Conservatives. That's why they kicked them out federally, and that's why they'll all but eliminate them next time provincially.

Mr Stockwell: To the member from Essex, does the name David Peterson mean anything to you? I don't want to get into that. I think we all have our political skeletons in the closet with respect to leaders who have been unceremoniously turfed out in the past. For a Liberal to stand up and chastise any other party about the fact that it's not trustworthy and will be dumped, after the decimation that took place in 1990—with all due respect, in 1990 it was pretty clear where the people of this province stood with respect to the government that was in power. Before you start casting the stones, you'd better tighten up your windows and make sure there's a lot of putty in those panes.

To the member for Oxford—there he is, up in the front row. I guess that's why he keeps standing up with the point of view he has: He wants to get to that front row, hopefully in this session. To argue with a constituent about whether they agree with your piece of legislation and use the argument, "You don't understand," misses the point. What you're saying to the constituent is: "You don't understand what we're trying to do here. You don't understand what this legislation says. You don't understand what we're trying to accomplish here."

You're going to have get this through your head: The constituent understands. He or she don't agree. It's not a question of comprehension; it's not a question that they're not bright enough; it's not a question that they don't understand what's going on. It's simply that they don't agree with what you're doing. The sooner this government understands that, the better off you'll be. You're here to serve these constituents, not the other way around, and your telling them they don't understand legislation is not the way it works. You're supposed to take initiatives and legislation that puts into practice what they believe and want, and Bill 91 is not what they want.

1640

Mr Jim Wilson: I appreciate the opinions expressed by members from all sides concerning the remarks I've made on this legislation. I am glad and delighted that members wanted to finally participate in this debate in a forceful way. They may object to some of the things that I've said, but as pointed out quite correctly by the member for Etobicoke West, I wasn't saying those things with Jim Wilson quotation marks. Those were actual written comments received from the good people of the riding of Simcoe West, and, folks, if there's something you better understand, it is that, yes, they will throw out the NDP government, because you feel your job is to go home and lecture your constituents about what's good for them.

That's not what democracy, what the parliamentary

system, was designed to allow you to do. That's a fundamental flaw in your approach to government, and that is why they've thrown out other governments at the federal level, they've thrown out other provincial governments and, folks, they're going to throw you on the garbage heap of history. That's exactly what they're going to do with you in the next election.

The sooner you call it, the better, because I would love to put my theory to the test ASAP, as soon as possible. I would love to go to the people this summer and ask them what they think about Bill 91; what they think about same-sex spousal legislation; what they think about Bill 40, the job-killing labour law; what they think about \$10-billion deficits and \$90-billion debts; what they think about ever-increasing taxes; what they think about all of the nonsense and ideology you've brought into our health care system; what they think about mismanagement and fraud in health care and welfare. I would love to go to the people and get their answer to those questions.

Mr Peter North (Elgin): I rise today to take my opportunity to debate a little bit about Bill 91. As I'm sure you're aware, Mr Speaker, I'm from the county of Elgin, the riding of Elgin, and it is quite a diversified agricultural centre. We have in Elgin fruits, vegetables, cash crops, dairy, beef, pork, the feather industry, the tobacco industry. We're pretty fortunate we've had so many people who are in the agricultural industry stay in the agricultural industry and in fact stay on the farm.

But unlike some of the members who have spoken previous to me, on the government side at least, people in Elgin county don't seem to support this bill as much as people, obviously, in government ridings would. I get a sense in talking to them and in listening to the discussions they've had among themselves and debates they've had among themselves that they don't feel it's actually warranted.

I wanted to touch just on the preamble to the bill. It was mentioned yesterday and I think it's appropriate and perhaps prudent of me to read it again. It says in the preamble, "It is in the public interest to extend collective bargaining rights to employees and employers in the agricultural industry."

Well, we've had some discussions with some constituents back home about just that particular preamble, and the impression that I get in talking to those people is that it's in the best interests of the province to create a strong agricultural community, to create certainly a strong rural Ontario, and we've had some difficulty in that in recent times. We've had some difficulty in maintaining, I guess is a better word, a strong rural Ontario.

We've had a problem in loss of services in terms of loss of rural policing. Earlier today it was mentioned again, the aspect of losing services in terms of emergency ward services in rural Ontario, and all of these things, when you add them up, when you put them together, seem to be decimating the aspect of rural Ontario and the whole aspect of agriculture in rural Ontario.

Another thing I wanted to mention was something that's been most difficult, I think, certainly in terms of younger people in rural Ontario: the withdrawal of funding for agricultural education. I know people in my

particular riding have been very concerned about that. They feel that opportunities that exist in agricultural education will further the interests of the agricultural community and of rural Ontario in terms of giving them an opportunity for research and development that will create economic development for our area.

Some of the things that have been talked about with reference to Bill 91 centre around the number of ministries that are involved in rural policy and agricultural policy. If you care to speak a little bit about it, you'd find there are a number of different ministries that anyone in the agricultural industry would have to go to, be governed by. They are set under rules and regulations and, to quote a number of farmers in the area, are restricted through their red tape, so to speak: ministries such as MNR, the Ministry of Environment and Energy, the Ministry of Municipal Affairs, the Ministry of Labour, the Agriculture ministry itself. So there are a number of different ministries that constantly present challenges and encumbrances to people who are in the agriculture industry. They find themselves constantly answering to many different pipers and almost in conflict with themselves in terms of, when they do one thing, they're told one thing by a ministry; when they do something else, that is in disagreement with what the ministry said at first. So they find themselves having great difficulty.

Bringing a bill like this, Bill 91, that will give them difficulties and encumbrances in terms of the labour they would employ on the farm, just adds to the burden of dealing with a number of different ministries.

The member for Huron, Mr Klopp, who's a good friend of mine, said yesterday that he had a sense that in his particular riding they had reached a consensus. I know the member for Huron said they'd reached consensus and that consensus was a hard thing to come by in terms of the agricultural community. It passes a little bit strange that they would be able to come to a consensus on something like this. I would almost guess that it's somewhat of an aggravated consensus in that it's a little like having a gun held to your head: You're in a situation where if you're going to have to do something, then you'll go along with it, providing that you can get certain concessions.

That's the situation that was relayed to me by people who are in the Elgin County Federation of Agriculture through the OFA. They've said to me, "Well, if this is the best of the worst, I guess we'll have to accept it." But that doesn't mean they agree and it doesn't mean they support it. There needs to be that difference taken when you talk about this bill, because I get the impression from members who are on the government side that they're seeing them as supporting the bill instead of going along with what's been decided because they don't really have any other opportunity. I think that's the belief they have.

We've had a number of people talk to us about how they would deal with this particular bill when it's passed and when it becomes legislation, if in fact that's what happens. They say to me that it's rather simple. They'll simply mechanize, and by doing so they'll eliminate the opportunities that they would have to be entwined in this bill and encumbered by this bill. They have said to me

very clearly that when they do mechanize, that will cost people in Elgin county jobs. It will certainly cost students in Elgin county jobs.

I know in our particular community, people in the tobacco industry, people in the fruit industry and somewhat in the cash crop industry use student labour on a fairly regular basis. Certainly in the tobacco industry they do. If we are to move towards mechanization, that will definitely be a real drawback for students who are in our particular community and who would look to those resources to be their resources towards a community college or perhaps university education.

I can say that in the life of this government, while I was on that side of the House and then on this side of the House, there's a real concern in terms of the number of pieces of agricultural legislation that have come forth. I think you can safely count on one hand or perhaps less than one hand the pieces that have come forth. I know that in the time I sat over there and was an attendee on occasion of the rural caucus, there was great concern with regard to the number of pieces of legislation that would be coming forth and that had not come forth.

It seems ironic that when finally a piece of legislation that is considered to be an agricultural piece of legislation does come forth, it doesn't come forth first of all from the Agriculture ministry; secondly, it does come forth from the Labour ministry; and thirdly, it's not a piece of legislation that the agriculture community in my particular constituency supports. So it's disappointing.

1650

It's disappointing when I remember back to a time when I campaigned and talked about what we believed and what we firmly thought about the agricultural community, about agricultural land, preservation of agricultural land. Moving towards this type of arrangement, moving towards this piece of legislation I don't think supports the aspects and the commitments that were made during the time that the election campaign was on and the discussions were made with people about agriculture in those particular communities.

The people of Elgin county have also spoken to me and they've made it very clear that this to them is, above all else, more red tape. They find it to be a situation where now it could incur some expense in terms of legal costs if they do have to go to arbitration, if the case may be so. They are looking very closely to see what it does mean in terms of red tape, paperwork, what records will have to be kept in a different manner than they've had to be kept in the past. They certainly will want to know what those types of impacts will mean.

In this House over the last few days, and in fact before the break, there was quite a bit of discussion on this particular bill. We've had a chance to hear now from all three parties. What I find quite interesting is the fact that even today, even just a few minutes ago, the argument is based on who did the worst job when they were in power, rather than what we can do about this particular bill while we're here today. It seems to me it doesn't really matter at this point who did the worst job or how much it cost or what they could have done or how they should have done it, but rather the fact that we have to

address this particular issue. We've got to make sure that if this bill is going to be brought forward, it's to be brought forward in a way that the agricultural community is comfortable with.

I think we've come to the point where we basically seem to take farmers, agriculture, the product that is produced by agriculturalists and rural Ontario in totality, for granted. The Legislature has a tremendous opportunity to do things in the agricultural community. They have a tremendous opportunity to make things right, to make things better, to improve opportunities for people in agriculture, which I think will improve economic development right across the province.

I've not heard people coming to my office and screaming at me that it's time now that we bring this labour legislation in terms of agriculture forward. This has not been the top priority. I don't think it's the top priority on their list in terms of "things to do in talking to my MPP."

Actually, the other thing I was going to say is that I've had no one express concerns to me of the consequences of leaving the exemption in place and what it means to simply leave this exemption in place. I've not had a lot of people say to me, "This is what's going to happen if you leave this exemption in place." I've not really heard in the House, in the discussion that's been taking place in the House—although a few members have touched around the subject, they've not really said to me, "Well, Pete, this is what happens if we leave this particular exemption in place."

We're here to represent our constituents. It was mentioned earlier by government members and it's been mentioned by opposition party members as well that we're here to represent our constituents and we should put their concerns and their interests first and foremost in trying to represent them here in this Legislature.

In representing the interests of your constituents, if you have a majority of your constituents or you have the greatest percentage of your constituents who have concerns with the bill that's in place, it's second reading; it's a time to deal with that. It's not a time to toe the line; it's a time to deal with the issues that are in front of us.

This bill at this point is not represented by the agriculturalists and farmers and people of rural Ontario. It's not something that needs to be passed over lightly; it's something that we need to address. We need to look at the issues and we need to make sure that if we bring this in, it is in the best interests of the province and in the best interests of the agricultural community.

It says in here in the preamble, "It is in the public interest to extend collective bargaining rights to employees and employers in the agricultural industry." If that's the case, then it needs to be done right. If this is not the bill that does it right and it's not supported by the agricultural sector and by farmers in general, then it should not go forward. If that's the case and your constituents tell you that, then you should bring those concerns here to this Legislature.

I want to close by saying, and I try not to do this in sort of a humorous way, that it was mentioned earlier that it's clear where one particular party stands and clear

where the other particular party stands. Well, I don't have a particular party here with me, so I can only say I can make it very clear where my constituents stand. My constituents stand on the side that says I am not to support this bill and my constituents stand on the side that says we should not bite the hand that feeds us.

The Deputy Speaker: Any comments or questions?

Mr Ted Arnott (Wellington): I hope to have the opportunity to speak to this bill at length later on this afternoon, but I want to very briefly commend the member for Elgin for his fine and thoughtful presentation this afternoon. He indicated that he doesn't represent a party at the present time, but he sure sounded like a Conservative to me.

The member came into this House, elected as a New Democrat. He sat on the executive council for quite a number of months. He found that he could no longer support the agenda of the New Democratic Party. He is now sitting in opposition as an independent member. He is very effectively voicing the views of his constituents. He's doing a fine job in this House, and I just want to commend him for his presentation this afternoon.

Mr Cooper: I want to commend the member for raising the concerns of his constituents. I think he's quite right; people aren't knocking down their doors, because for the most part what we're seeing is that about 90% of the farming community won't be affected by this legislation.

What we're talking about right now with this legislation is when you get into the corporate farms and the fringe area of agriculture. This is the problem and that's why this legislation is being brought in, because while there's an exemption right now, there's that grey area in the middle which could end up being organized. It's best that we do some legislation and do it right. So yes, while he says that it's not a big concern, there are certain people out there who can see a problem developing. That's why we're bringing in the legislation, and we are working on the consensus to make sure we do it right.

We seem to have a consensus right now, and with the amendments that the minister has proposed, I think we'll set up a good piece of legislation which will be separated from the Ontario Labour Relations Act, which is what they've asked for, which specifically addresses the problems out in agriculture. That's why this legislation is being brought forward.

While he says he's representing his community, I agree, most of his community isn't going to be affected. That's why they aren't knocking on the door. There are some misconceptions out there and this is what we're trying to address, to get the legislation done properly and with the cooperation of everybody. If we can get into committee and get this legislation done and actually get down to the amendments, I think a lot of people will find out that it's a good piece of legislation that will be workable and for the most part won't affect the family farm and most of the agricultural sector.

Mrs Joan M. Fawcett (Northumberland): I too want to commend the member for at least attempting to represent his constituents. I'm rather interested in some

of the remarks, though, from the government members, because right away they say this won't affect very many people. Well then, why do we have it? Why do we need it?

Mr Cooper: The grey area.

Mrs Fawcett: Then be specific and address a concern or two, but why put in a bill that affects everyone, if you say it really isn't needed for the major portion of the farmers?

Farmers everywhere are saying, "We do not need Bill 91." There is no need for Bill 91. Farmers know that they must treat their workers properly; otherwise they don't get a good job done. With farming, we know that if the job isn't done properly, then they can lose everything. So really, farmers are already treating their people very, very well. I really believe that Bill 91 is not needed. It should be done away with. Put the agricultural exemption back into the Labour Relations Act, just the way farmers want it. Everyone would be happy.

1700

We all know that farming is different. The structure of agriculture is different than an ordinary industry. It is a different kind of industry. The sensitivities of the sector, the perishability of the crops, animal welfare, incomes and global competition argue for different treatment of agriculture. Bill 91 is not needed, but what is needed is the agriculture exemption back in the Labour Relations Act.

The Deputy Speaker: Any further questions or comments? If not, the member for Elgin, you have two minutes.

Mr North: I want to say that it's certainly a pleasure to have an opportunity to speak in the House today with regard to this issue. I want to thank the member for Wellington and my friend across the floor and my friend on the Liberal side for addressing the content of my speech somewhat, trying to help alleviate some of the concerns that are out there.

I have a little trouble with my friend across the floor who continues to use the words "corporate farmer," because most of the people whom I know in the industry are a corporation of some description at this point, in order to stay alive.

Mr Cooper: The big ones.

Mr North: I don't know what you call big and what you call small. We have a diminishing number of farmers in this province now compared to what we had a few years ago. You can't run on 50 acres any more; it takes a little more than that. To some degree, everyone is somewhat of a corporate farmer.

For people to say that this won't affect the family farm because you can't strike and you can't do this and you can't do the other thing, if they can't market their product, if they can't sell their product, in extension, to the companies that are out there that would be able to strike and that would be able to do all those things, then it has impacted the family farm.

I hope I've added somewhat to the debate; I've tried to add somewhat to the debate. I know there are some other people who hope to speak and will speak on the issue. I

hope there are some people who will address this question of what would happen if the exemption stayed in place and get to the basic reasoning of why this change is being made. I know there is someone who will speak to that issue shortly.

Mr Steven W. Mahoney (Mississauga West): Who's next?

Hon Fred Wilson (Chief Government Whip): Karen.

Mr Mahoney: Oh: Shakespeare. I'm giving you a compliment.

Mrs Karen Haslam (Perth): That's always rare. I'm sorry, Mr Speaker. It's not a good way to start out, having a private conversation with an opposition member simply because he pulls my chain too often and gets me going on issues.

I'm very pleased to take part in this debate on Bill 91, An Act respecting Labour Relations in the Agriculture Industry. There are a few things in this particular piece of legislation that I'd like to comment on.

One of the things is that we keep talking about family farms, but what we should remember is that we are also talking about workers. That's what this legislation is for: It's for labour relations in the agricultural industry. It is an industry and there are workers in this industry. For the first time ever in this province, there'll be a system of labour relations that will deal with agricultural and horticultural sectors. I think it's important that we have that in place for the workers who are involved in these sectors.

Agricultural workers have always been excluded from rights and from privileges that have been available to other workers under the Labour Relations Act. We so often talk about family farms. We have to remember that we're not just talking about family farms; we're talking about workers.

For instance, I have a chart from my county, for Perth county, and this is the number of companies in different economic sectors within Perth county. In the agriculture sector we have farms employing off-farm people at something like 1,300 farms, but there are 1,500 farms that employ only family members. This will not affect them; it affects workers.

When you look at farm suppliers, we have approximately 65 involved in that sector. We have food processing, which employs workers; we have 20 in that sector. For farm product processing, we have another 18. I think those are important to remember.

I have another chart that looks at food processing manufacturers in Perth county. We have places like Campbell Soup in Listowel and St Marys. They employ 780 workers involved in food processing, frozen foods, and those people need some protection. We have Millbank Cheese and Butter in Millbank. They are involved in cheese and butter processing and employ 32 workers. We have Atwood Cheese Co in the small community of Atwood, which employs 19 people. East Huron Poultry Ltd in Dublin employs 70 people in poultry processing. Blanshard and Nissouri Cheese Co in St Marys employs only one person, but they do employ a person in that

cheese company. Conroys Meat Co, a processing plant involved with butchering and retailing of beef and pork, has 15 workers in its processing plant. We have Stone-town Cheese Ltd in St Marys. We have Vanderpol's Eggs Ltd, which puts dry eggs into powder, and employs 35 people. That's really what we're talking about.

I'd like to commend both the Minister of Agriculture and the Minister of Labour. After all, this is a labour issue, because we're talking about labourers, workers in an industry, in a sector like the agricultural sector. I'd like to commend them because they have put together a task force, and I'd like to commend the task force for coming forward with a consensus. It's not easy to introduce labour relations and labour legislation into an agriculture sector, but I'd like to commend the Task Force on Agricultural Labour Relations for coming to a consensus in this area.

The result is a package of proposals that is progressive for workers, but it also reflects the uniqueness of our agricultural industry and the perishable nature of the products we deal with in this industry and in this sector, the time-sensitivity around the processing plants and having fruits or vegetables or poultry. You don't have the time to let it sit, so you look at the time-sensitive nature of these operations and come to a consensus that is good for workers but good for processors, good for farming communities. I think that needs to be mentioned.

We've heard a lot about what happens to the sector, under the proposals, when you're looking at harvesting and time-sensitivity. One of the major proposals that will be beneficial is that agriculture workers will receive the right to organize. They have that right now, to organize and to bargain collectively. I am a firm believer in free collective bargaining and bargaining collectively, and they will be given that right—finally.

On the other hand, collectively they're not going to be given the right to strike because of the sensitivity and because we're dealing with an agricultural sector. They're not going to be given that right to strike. In place of the right to strike, there are other avenues that were examined and other avenues that have been put into place: negotiation, mediation, arbitration. Those are things that can work.

If you look at the legislation, some of those things are indicated on page 5. When you look at the legislation, it's very clear. It's under "Dispute Settlement." There is a structured process in place that will look at the areas to settle disputes, and one of them is not a strike. There are other avenues, a very structured process, and I think this speaks well to what we have as a concern and what we've heard as a concern from the agricultural sectors.

We hear people say: "This isn't needed. Why are we introducing this?" We're introducing this because the agricultural sector does need a separate piece of legislation. That's what this is: Bill 91 is a separate piece of legislation around the agricultural industry, the agricultural sector. It's needed because workers work in an agricultural industry and they do need these rights. No one questions that this government believes that the right to bargain collectively should be available to people in the agricultural sector, and the right to farm workers and

communities should be recognized, this right to collective bargaining.

1710

We hear a lot about legislation affecting the family farm. The proposed legislation is designed to ensure the continuity of the family farm by including a provision that family members cannot be prevented from working on the farm by collective agreement. The Agricultural Labour Relations Task Force felt strongly about this issue, and its recommendation is reflected in the bill. Again, if you look at the bill, it's right there on page 4, "Family Members," part III. It's very clear. We've heard the agricultural sector. We've heard the communities. We've heard their concerns. We put that into this legislation.

The agricultural sector, as I've stated, has unique needs and concerns. The two major differences between this and other sectors are the constant, ongoing demands of animal care and the extreme sensitivity to timing required for the successful harvest of various commodities. That's why we have brought in a separate piece of legislation.

We hear a lot about the Labour Relations Act and how horrible it is, and I don't agree with that. The Labour Relations Act is a very progressive piece of legislation. We hear it has cost many, many jobs. Wrong. It hasn't cost jobs. What it has done is bring some sense of worth to the workers. It also has brought in a sense of agreement and less violence on any picket lines. We haven't seen a great hue and cry out there over the Labour Relations Act. It's been very well accepted out there and it is working.

The proposed legislation in Bill 91 reflects the advice of both the employers and the employees and it's designed to address the special needs of the agricultural sector. One of them was that it prohibits strikes or lockouts. It sets out a structured process of negotiation, mediation and arbitration. It provides for a labour-management advisory committee that provides ongoing advice to the government on labour relations issues and on educational programs. Seasonal workers will be placed in a separate bargaining unit from full-time workers once the regulations have been developed. It restricts access to property for organizing purposes in order to protect the critical sanitary and safety conditions. These were recommended by the task force. The proposed legislation provides an absolute prohibition on strike action or lockouts. That's critical in that it addresses the unique nature of agricultural work and the perishability of products during the harvest and the demands for animal care.

We've heard talk that, "In my community, they don't want it, they don't see a need for it." I disagree again. In Perth county, my farm community does want Bill 91. They want it brought in and they want it brought in quickly. They understand it. They understand it because they have had a lot of discussion with me about it and they've taken part in a lot of the discussion at the OFA level. In particular, I want to read a letter. As a member of the opposition sent out his questionnaire and brought in his comments, I'd like to read a very interesting letter from a woman in my community, Kelli Crowley.

It says, "Ontarians for Responsible Government are not as responsible as their name implies." We remember the Ontarians for Responsible Government putting up the billboards and saying we were trying to unionize family farms, which is wrong, which is not true. This is in reply to a story around that group.

It says: "Either by ignorance or design, they have presented a flawed interpretation of the Agricultural Labour Relations Act, also known as Bill 91. If Bill 91 dies, farming comes under the Labour Relations Act proper," which is Bill 40. "That act won't give farmers protection against work stoppages. We can no longer wave our fists and stamp our feet like a spoiled child and demand continued exemptions for agriculture. As responsible business proprietors, we must be accountable for the safe, healthy working conditions of our employees. The myth that the right to collective bargaining will raise the cost of food is a very overdramatized prediction. Family farms which treat their employees with respect and consciousness will not be hurt.

"The thrust of Bill 91 is to curb an element of abuse of labour by businesses involved in farm processing. If these processing facilities were located in cities or towns, they would be a processor and under Bill 140 jurisdiction. But by being located on the farm and calling it a farm enterprise, there is no place for the employees to turn.

"The Ontario Federation of Agriculture, together with 20 other commodity groups, including the Ontario Milk Marketing Board, the tobacco board and the Ontario Fruit and Vegetable Growers' Association, were consulted to provide the concept for Bill 91. However, when it was introduced the bill was flawed. With quick reaction from these organizations, we've gotten a commitment from Bob Rae to rework the bill and reintroduce it after a consensus has been reached with these groups, and that has been done.

"Only through the efforts of responsible, proactive, accountable organizations will we be able to achieve a law that will protect employees without compromising the family farm." That again is by Kelli Crowley, an OFA provincial director, Perth central area. She's on the executive of the Perth County Federation of Agriculture.

We are not about unionizing a family farm. It is not to the benefit of union organizers to go out and try and organize family farms or try and unionize family farms—it's not worth their effort, it's not worth their time, it's not worth the hassle—and they'll only come into processing plants if they are asked to. If the employees are unhappy and require some redress for the way they are being treated, they will want to be organized; they will ask for representation by a union. If they're being treated fairly, then they might not be interested at all.

When we look at this bill, we understand that it will extend the right to organize to about 14,000 seasonal workers and also 18,000 year-round employees in agriculture. That's where these proposals will apply. Workers gain the rights and benefits they have long been denied. Farm owners are protected against work stoppages, and there will be virtually no impact on the historical independence and character of the family farm. That's

because the bill ensures that the introduction of collective bargaining will not override the rights of family members to work on the farm.

When I look back at some of the debate that's gone on about this, I look in particular to the Liberal leader's comments in April on their opposition day around this. Some of the things are: "We have up to now in this House raised only those issues that are causing the greatest concern to farmers: the failure to provide separate legislation for agriculture"—it's been done; we have that; we have a separate piece of legislation—"the failure to exempt members of the broader family from being forced to join a union"—it's been done; in the legislation that exemption is there—"and the failure to make provisions to prevent strike action against family farms"—it's there; there is a structured process there.

Some of the concerns they raise: "Why have you refused to implement provisions to prevent strikes?" It's being done. "Why do you refuse to implement the task force's labour-management advisory committee?" That's being done.

All of the issues that are being raised in the community are being addressed and they're being addressed by this government in a consensus way with the community. I think that any legislation that builds on consensus and that addresses the concerns of the community, especially our rural community, is a piece of legislation well worth supporting, and that's what I will be doing.

1720

The Deputy Speaker: Any questions or comments?

Mr Crozier: I'd like if the member for Perth could clarify something for me in her summary of comments, or perhaps someone else can, and this is truly a question that I would like clarified. It's not intended to pull your chain or anything like that.

You have made the comparison that you have the Campbell Soup Co in Perth county, with 780 employees. Does it mean that if the 780 workers at Campbell Soup in Perth county are organized they will not be able to strike?

Interjection.

Mr Crozier: Okay, then in comparison, and this is why I bring the question up, we have an equal number of employees at the Heinz Co in Essex county who are already organized and have the right to strike. So I would just like the member to clarify that comparison for me, please, if she chooses.

The Deputy Speaker: Any further questions or comments? If not, the member for Perth.

Mrs Haslam: I think that is covered in Bill 40. They would be covered under Bill 40 because they are in a town. What we're talking about in the agricultural bill is more a processing plant, smaller processing plants on farms and out in some of the agricultural areas.

Just as Kelli Crowley has pointed out, when you put them on farms, they then kind of escape Bill 40. This is what this bill does come to terms with: that there still has to be employee rights in these processing type of facilities, but because of their location and because of the products that they deal with, they will have this bill also

to protect the owners from strikes that would affect their processing operation on the farm.

I have appreciated the opportunity to participate in this debate. All too often we don't have the time because we find deals are being made—

Interjection.

Mr Haslam: No, no. I've got 50 seconds, and I'm going to use it. All too often you find deals are being made and that they always say, "Gee, if you use less time and they get their chance to have their comments on record, Karen, then we can get off of this and get on to something else." Unfortunately, it's always those of us who have certain issues that we feel very strongly about and we end up not having the opportunity to debate it. So I appreciate the opportunity to spend some time on this piece of legislation. It's important to me, it's important to my riding and it's important to the Perth County Federation of Agriculture and the meetings that I've held with them. I'm glad I've had that opportunity, small amount of time though it was, to participate in this debate.

Mr Arnott: I thought the member for Perth perhaps was lost for words, but alas, I was mistaken.

The Deputy Speaker: Just a moment, please. Excuse me. The member for Mississauga North was walking in the House; I didn't realize he wanted to speak. So the member for Mississauga North, you have the floor.

Mr Steven Offer (Mississauga North): I'm pleased to speak on this particular piece of legislation. I've had occasion to listen to a number of members over the past days speak to the concerns that they have, and certainly I share in some of the concerns. I see that there are members saying, "Well, why would the member for Mississauga North wish to speak on a bill with this subject-matter, the agricultural community?"

Indeed there's no question that the agricultural community has played a very important part in the growth of the city of Mississauga and indeed the region of Peel. There is no question that the city of Mississauga and the region of Peel have, over the years, changed their focus in no small measure towards the commercial, the industrial, the retail and of course the residential sectors.

But the reason that I wish to speak on this particular piece of legislation was that I had the occasion to serve as the Labour critic for our party during the Bill 40 hearings—some would call it the Bill 40 debacle—and there were significant changes that were made to the Ontario Labour Relations Act that dealt with the agricultural community in those particular sections to which there were exemptions which were removed. One of the reasons that the government hung its hat on the actions that it took under Bill 40 was that it was going to introduce a piece of legislation, the subject-matter that we are discussing today. So I wish to take part, in a very limited way, in this particular piece of legislation, because I well remember the debate, heated at times, over many of the issues around Bill 40 and, in no small measure, the concerns of many in the agricultural community as to how their particular issues and interests were going to be addressed.

The government made some very definite commitments

to the agricultural community at that time. They spoke about agreements, consensus, arrangements in principle that indeed had been reached. Though my area as a critic changed and now I stand as the Environment critic, I remember those commitments that the government made at that time to the agricultural community. They were commitments that the agricultural community believed the government was going to abide by, commit to.

I think over the time and, as this has now become legislation, there is some real concern that the statements previously made, through the Minister of Labour primarily, have not been founded in legislation, as was believed. It is for that reason that I partake in this legislation, because there were a number of times when we questioned what the commitment of the government to this matter was going to be.

From my limited experience, I have yet to hear of anyone in the agricultural community who applauds the work of the government in this matter. I have heard of no one who says, "The sections, the direction, the principle of this legislation are ones which we agree to." I have heard no one say that the agricultural community's interest is being promoted, enhanced or protected by this legislation. This is much different than what the government said during the debate on Bill 40.

As the member for Mississauga North, in the region of Peel people would say, "Why would this member speak to an issue that is of so much concern to the agricultural community?"

Mr Drummond White (Durham Centre): Because nobody else in your own party will.

Mr Offer: The reason I do that is that when I was the Labour critic speaking on Bill 40, there was, without question, a certain assurance that was given to the agricultural community, an assurance which was founded on a governmental commitment. I do not believe—or let us say I have a suspicion—that the commitment and assurance that the government made during the debates on Bill 40 have been carried over to this particular legislation.

I speak opposed to the legislation. I speak opposed because I do not believe that the interests in the agricultural community have in any way, shape or form been protected in this legislation. If that were the case, if the agricultural community were in favour of this legislation, then surely, after reading it, they would taking the time, as they always do, to inform members of this Legislature, no matter where their riding happens to be located, as to their position. But there hasn't been. All we have heard is opposition, not from the members, but from people who are involved in agriculture.

We have heard of concern. We have heard that this bill is something very much different than what was initially contemplated. I don't know if that isn't somewhat following the rugged course that the government charted when it was throwing through Bill 40. I don't know that this piece of legislation doesn't in large measure mirror the tainted approach to the passage of legislation that the government employed during the changes to the Ontario Labour Relations Act.

It doesn't take much to remember the very heated debate that took place. It is not far from one's memory when we recall how so many people felt so shut out from the process of legislation that the government was introducing, how people truly felt that the government wasn't listening, that it didn't have their best interests at hand, that it lacked the commitment to listen, that it lacked the commitment to act on concerns.

1730

That's in many ways in principle what we heard over the Bill 40 hearings, and we well remember the way in which the government rammed the bill through the Legislature. We well remember the debacle as to clause-by-clause of Bill 40.

Mr Sutherland: Oh, come on.

Mr Offer: I am now being criticized by members of the government. I can only take that as a compliment when members of the government criticize my position, because I feel I am more in sync with the general position of the people of the province, and surely the people in my riding of Mississauga North.

But this legislation before us—Mr Speaker, I know you are looking at me saying, "Just make certain that you focus your attention on the matter at hand"—mirrors the process used by the government in the changes to the Labour Relations Act.

I have some very grave concerns over this piece of legislation. My concerns are around how the rights of the people on the farm are going to be protected, how the rights of workers are going to be protected, how the rights of individuals to choose the way in which they are managed are going to be secured, how the commitment the government made to the agricultural community a year and a half ago is going to be maintained.

This legislation falls far short of what the government said it was going to do. It moves in the direction of the manifestation of suspicion that people have with this government over legislation of this kind. It is without question a continuation of the mismanagement and incompetence of a government not knowing how to deal with an issue, lacking the commitment to listen to individuals, refusing to meet and hear and embrace concerns, but rather turning your back on an incredibly important sector of our province and society and saying, "We know what is best for you, so we will just operate in that vacuum of government non-idea. We will just operate, knowing what is best. We will be the protector and the guardian of all those we say we are going to protect," notwithstanding their concerns that you are not operating and not acting in a proper and rightful course.

I have concerns on the legislation specifically and in substance over how it will affect the operation of the farming community; I have concerns in substance over how this particular legislation will affect the rights of individuals who are important aspects of the farming community; I have concerns over the process the government has employed on this particular legislation; and I have, fourthly, a very grave concern over how the government is not living up to the commitment it made to the agricultural community almost two years ago.

For that I am very much opposed to this particular piece of legislation, and for that I believe the government should rethink what it is doing here and compare that to what it committed that it would do. You will find this to be very much at odds, and I believe the agricultural community is not well served by the actions of this government in this piece of legislation.

For that I wanted to speak on this legislation, because I was there as the Labour critic when it was first discussed, and I am very much concerned that the government has moved in a way that is not in the best interests of the agricultural community and the many people who serve that community so well.

The Deputy Speaker: Questions or comments?

Mrs Fawcett: I want to commend the member for Mississauga North for putting his remarks on the record. Everyone needs to be concerned about agriculture, everyone needs to be concerned about where food comes from, and everyone needs to make sure that our farmers get the recognition of their concerns that they deserve.

As I have said before, and I will continue to say it, this legislation is badly flawed. The government says it has addressed the recommendations of the task force in amendments, but I really don't feel it has paid attention all along to what the farm community is saying.

The farmers were not in need of, nor did they want, Bill 91. They have expressed everywhere I go: "Who asked for this bill? Who wants it? We don't want it." So who out there said that Bill 91 was necessary? I have not yet run across that person, unless of course it is the minister, only to feed some long promise he made that this is what he would do should he ever get the chance.

I can understand why the bill wasn't thought out well, why it was badly flawed, because this minister does not know anything about agriculture. He does not know the sensitivity of agriculture. He does not realize that out there the farmers treat their workers extremely well and that Bill 91 is not needed. The agricultural exemption needs to be put back into the Labour Relations Act.

The Deputy Speaker: Any further questions or comments? If not, the member for Mississauga North has two minutes.

Mr Offer: I'd like to thank the member for Northumberland. The points she makes are very valid. She has, without question, brought her experience and sensitivity to this particular issue, as have many members from our caucus in this particular debate.

The questions remain: Who is to be best served by this legislation? Where is the need for this legislation? How is this legislation in the best interests of the agricultural community and the farmers of this province?

The government has yet to respond to these very straightforward questions, and for that I believe this particular piece of legislation is not in the best interests of the agricultural community, has not met with the concerns of the farming community, has not dealt with the rights of individuals in the operation of their farms. For that reason, I will be opposed to this particular piece of legislation.

I'm very cognizant of the commitments the govern-

ment made almost two years ago and how they have not been kept in the legislation at hand. I believe the government has to be called to task for the failure to live up to the commitments it said it would make to the agricultural community. This bill is silent on that point, and for that it should be opposed.

1740

The Deputy Speaker: Any further debate?

Mr Arnott: I'm very pleased to rise this afternoon to participate in the debate on Bill 91, An Act respecting Labour Relations in the Agriculture Industry, which received first reading July 29, 1993, in this Legislature, and of course we're now into second reading debate, the debate on the principle of the bill.

I want to state from the outset that as a representative of a strong rural riding, representing a great number of farmers from Wellington county and privileged to be here representing them today, I am totally against this bill and I'm very supportive of our caucus position, which is that this bill ought to be repealed, should the Conservatives form the next government in this province, as an extension of the need to repeal Bill 40.

We've seen this government, driven by its ideology, bring forward legislation that diminishes our competitiveness in this province, labour legislation which is destroying jobs, labour legislation which is driving up wage costs, which again destroys jobs. We must speak against this legislation and again commit that we will repeal it should we get the opportunity to govern again.

The agricultural sector is really the most important aspect of our economy, I believe. Certainly that's the case in Wellington county. It's the agricultural sector upon which a lot of additional industry is based. If agriculture is flourishing, generally speaking, our economy as a whole flourishes. I feel that with this bill, the government is not recognizing some of the most important needs within our agricultural sector today.

Of course we've heard that during the course of the debate. The question has been raised by Liberal members and Conservative members, what was the need for this legislation? The government tells us in the preamble of the bill, as part of the bill, as if it needed to explain the reason, which of course I think has to be explained:

"It is in the public interest to extend collective bargaining rights to employees and employers in the agriculture industry.

"However, the agriculture industry has certain unique characteristics that must be considered in extending those rights."

The first statement saying it's in the public interest to proceed with this bill I dispute. I don't think it's in the public interest. It's perhaps in the government's political self-interest, although I don't fully understand how that even comes into play, but I think overall it will have a negative impact on agriculture and on our economy.

They suggest that "the agriculture industry has certain unique characteristics that must be considered in extending those rights." Yes, indeed. I agree with that statement. That's a little more accurate, because we have to recognize that farming is different from industry. With

this New Democratic government that's so ideologically driven with respect to labour legislation, and its fundamental misunderstanding of rural Ontario and its inability to see rural Ontario for what it is, what it is trying to do with this bill is apply an industrial labour relations model on the family farm. That will not fit. It won't fit primarily because the family farm is not an industry, it's not a factory. There is a perishability to the net product of a farm, which is the crop or the food a farm family grows, and if it's not harvested or brought to market at the appropriate time, when it's absolutely ready to go to market, the product will perish and we will find that the product just won't be saleable. So it's different from a factory in that sense. I don't think the government fully understands that principle, and it's unfortunate.

We've heard the New Democrats indicate that there's a consensus among farm groups that this is a good bill. There may in fact be a consensus that the government was going to go ahead on a farm labour bill and that there should be an attempt to negotiate the best possible bill, given the government's ideological predisposition.

I think that in fact was the case. The farmers I speak to who are knowledgeable about the Ontario Federation of Agriculture's involvement in this bill say: "Well, what could we do? We've got a pro-labour government in power. They're intent on going ahead with unionizing the family farm, so we have to try and participate." Of course, we know the farm groups are very much non-political and see it as their objective to attempt to represent the views of the farmers. They try to keep politics out of it and they try to be respectful and work with the government of the day, but I think they realized there was no choice but to at least sit down with the government and try to moderate the government's bill to the best of their ability. I think they did moderate the bill, and I give them credit for that, but we also must understand that the bill must be repealed, because as far as it goes, it still goes too far.

The Liberal caucus has participated in this debate and has talked about this issue for quite a number of weeks and months. We've heard of the Liberals' intent to vote against this, and I commend them for that. We've not heard from the Liberal Party, to the best of my knowledge—and I'm sure that if I'm mistaken, one of the two Liberal members presently in the House will tell me I am—a commitment to repeal this bill should it become the government in Ontario after the next election. That's the primary distinction between our party's position and the Liberal Party's position.

The history of labour in agriculture in Ontario is that farming has been exempt from labour legislation for a number of specific reasons. I talked about the perishability of the farm product. Really, that's the key reason. I want to elaborate in a little more detail on that.

Strikes during a harvest and other vulnerable seasons would be absolutely catastrophic for farmers. I think we all accept and understand that. The already unstable economic climate in agriculture would be further threatened by modifications to the province's labour law. The right to strike, even if it's not exercised, would result in a higher industry risk factor, and this translates into

higher insurance costs and lower farm-gate receipts. We've been told, of course, that the bill does not include the right to strike, but there are a number of other mechanisms that the government wants to give to farm workers to press their demands.

This bill will result, I believe, in higher labour costs. That's likely going to happen. These costs will ultimately be passed on to consumers because of the farm sector's inability to absorb the increase in these costs. I think this is particularly evident in Ontario's supply-management commodities where a cost-of-production formula is used to determine prices. We all know that changes are going to be coming in the supply-managed goods throughout the 1990s and into the 21st century as a result of the GATT changes. We have to be extremely sensitive to changes that may impact negatively on our supply-managed commodities. They're going to have to make a number of changes in the way that they operate to better compete with their American counterparts, the competition that's going to be coming.

I want to raise one point that our party's critic for Agriculture, the member for S-D-G & East Grenville, brought out in his debate. He talked about the budget of the Ministry of Agriculture. I think it's important that members are reminded of this, because the budget for OMAF has been reduced significantly since the New Democrats took power, about an 18% reduction since the New Democrats assumed power.

Many of the ministries that the government favours have actually seen an increase in their budgets. For all the tough times and all the rhetoric where the government says it's cutting back, many ministries have actually received significant increases in their funding. But other ministries that the government doesn't feel are as high a priority have had their budgets reduced and slashed. The budget of the Ministry of Agriculture and Food has gone down 18% since 1990.

I might add too that overall government spending has gone up 6%. The government's still spending more money, but certain ministries are taking a severe reduction. We see that as an example of the government's lack of interest and the lack of priority that it places on agriculture. I believe it's reflected in this bill.

I want to close at this point, because my colleague the member for Grey-Owen Sound wants to get a chance to speak this afternoon and I hope we can accommodate him. Let me say in summary that I think this bill is going in the wrong direction. I think it's unnecessary. I think it will have a lot of negative impacts on our farming community.

I would urge government members, who probably will go ahead and vote for this, to at least, if they represent rural constituencies, go back to their constituencies and speak to their farmers and speak to their constituents to see if there isn't another bill or another legislative priority that should be put ahead of this one. I think they'll find that their constituents, in the main, are opposed to this legislation. I would urge them to do that because I think it's important that other agricultural priorities are recognized by this government in the remaining time it has left in its mandate.

1750

Mr Murdoch: I'd like to thank my colleague from Wellington for giving up some of his time so I could speak on this, and also my colleague from Kitchener for keeping the other side under control and allowing me to speak today.

I'm very pleased today to rise in support of my colleague from S-D-G & East Grenville on his stance on second reading of Bill 91. As I am sure you're all aware, I have both a professional and a personal interest in this particular piece of legislation. I currently live on a farm in Grey county from which I run a cow-calf operation. Grey county is a beautiful place to live, with some of the best agricultural land in the province.

In my area, farming is passed down in families from generation to generation, but unfortunately, every year there seems to be less and less active interest in the agricultural lifestyle. In fact, just over 2% of the population continue to maintain an agriculture operation as their primary source of income. I have both a brother and a sister. Each of them live in a rural setting but neither of them are actively farming. Actually, they are both teachers, my point being that my own family is a prime example of how the passage of time has eroded a simpler, more basic way of life. As times go on and technology changes occur, there are fewer and fewer active people on the family farm.

In light of this, I would expect it to be common sense for the government to do everything in its power to promote the viability of agriculture in Ontario. However, as I've said on numerous occasions in the past, common sense is not a characteristic with which this government is particularly familiar.

The natural passage of time has reduced the number of active farmers in Ontario, a fact we cannot change, and this legislation will only make things worse.

I would like to repeat a statement my colleague from Lanark-Renfrew made yesterday. He said: "The wellbeing and success of our family farms reflects the overall prosperity of our province....We as legislators must be diligent in our promotion and support of the family farm." Touché. I cannot agree more. However, instead of acting to support and promote the family farm, this legislation will serve to discourage farming as it creates a whole new level of bureaucracy which will stand in the way of efficient farm operations.

I am not an economist, but it doesn't take Adam Smith to figure out that too much regulation and government interference disrupts the function of the natural market forces. Whatever happened to good old supply and demand? Everywhere I go, I hear a demand for less government, less government and even more less government, and what does our socialist government supply? More government, more government and more government.

Operating and maintaining a successful farming operation in the 1990s is not an easy task. I know this from firsthand experience. This piece of legislation will do absolutely nothing to make the task easier. In fact, as I see it, this measure will increase the cost of operating

a farm in this province and further decrease the number of farms and farm workers. In effect, this legislation will kill jobs.

I recently attended a dinner in my riding hosted by the Grey county branch of the Ontario Federation of Agriculture. The members of the federation expressed extreme concern about the logic behind unionizing the family farm. It makes absolutely no sense to them or to me why this government wants to put more unnecessary pressure on Ontario farmers who are already struggling to keep their heads above water.

As an extension of Bill 40, Bill 91 seeks to go all the way in this quest to kill business in this province. Bill 40, the job-killing crusade, by giving labour control in many business operations both large and small, has effectively closed the doors to investment in Ontario. Now our notorious government seeks to finish the job by shutting down what is essentially the basis of industry in our province. No farms, no food. It's as simple as that.

What I find most interesting is that the minister continues to maintain that the agriculture sector in this province supports Bill 91. I'm not exactly sure from which pool of Ontario farmers he's drawing this conclusion, as I have yet to come across a single farmer in my riding who agrees with this legislation. Perhaps the minister would like to visit Grey county for a day in order to contact the real agriculture people.

Bill 91 transfers power from those who have earned it, the farm owners, to the workers. Placing upward pressure on farm wages will ultimately result in fewer jobs, because who can afford to pay them? I certainly can't and my constituents certainly can't. I say enough is enough. Get your bureaucrats the heck out of the barn.

I tell all my constituents to stay alive until 1995, at which time they will give this province a government that understands the real needs of Ontarians, a government which promotes common sense. Make no mistake about it: Bill 40 and Bill 91 will be the first things to go.

It's about time for our Common Sense Revolution. Your ministers have lost all their credibility. Just look at some of the ministers whose livelihoods this government has ruined as politicians: Howard Hampton, the Minister of Natural Resources. He's taken it upon himself basically to kill conservation authorities by giving them no more money. It's not Howard's fault all alone. It's the Treasurer who says, "No, you won't get any more money." What they do, they take away his credibility.

Let's look at our Minister of Transportation. He has no idea what roads are even about, let alone he's the Minister of Transportation. You've just continually gone on to kill the ministers and their credibility. The problem is, I don't think this government over here wants their ministers to be re-elected, so they go on to bring in legislation that takes the credibility away from any of them.

Look at your Minister of Municipal Affairs. Today he even said that he's going to carry on with his silly plans about the Sewell report, one of the worst things he's ever done to this province: taken a person from Toronto that had no idea, once he was out of the city, where he even was, let him come up with a report, and then tells the

people of rural Ontario they have to accept it. Here's another minister's credibility gone.

The Minister of Labour we've already talked about. Look what they've done to him with Bill 40, totally taken his credibility away from him, and now Bill 91. So, Mr Speaker, who was left? Well, it looks like all they had left over there was the Minister of Agriculture.

I want to tell you, the people in rural Ontario did like the Minister of Agriculture. He did have some credibility. But this government decided: "Hey, we can't have somebody in our caucus that has credibility. We're bound we're going to discourage this. We want to kill our credibility. Look at some of the legislation we've brought in." That only proves what they've done to most of their ministers. "We've got one minister left some of the people like out there, so maybe we'd better do something to make sure that they don't like him any longer."

What do they come up with? Bill 91. They tried to destroy his credibility on the farm legislation—I'm trying to think of the bill last year that they brought in and they were going to fine all the farmers if they didn't join up. I'm sure there was conspiracy there. But fortunately enough, they kept Elmer's credibility by bringing the bill in right—the farm stabilization bill I'm talking about—and they fixed that bill up. Originally they had it all messed up, and I'm sure it was part of their conspiracy to defuse Elmer's credibility within the rural community.

Elmer was well liked up until this bill, and now they've just taken the credibility away from Elmer and I guess there are no ministers left. They could easily be on their way to an election now, because they've pretty well destroyed every minister over there that they've ever had. It's unfortunate that they've done this. The only one, as I say, you had left with any credibility was Elmer Buchanan, and look what they've done to him. I still have great respect for Elmer, even though he's been swindled into voting for something like this. I still do.

Mr Sean G. Conway (Renfrew North): You know, this is beginning to sound like an old Hank Williams tune.

Mr Murdoch: The member for Renfrew says a Hank Williams tune. If I could hold a tune, maybe it would be fine, but I'm not good at that. But I want to say, I still do.

You guys set your agenda a long time ago when you decided not to call an election until you've thoroughly ticked off everyone in this province. Well, I'm telling you now, you've finally done it. You finally have got rural Ontario and the farmers mad at you now, so you've pretty well got everyone ticked off at you. As one member told me once, there were still a few left that they hadn't ticked off. Now that member will know that you've got everybody. You've come to your conclusion. You can call the election.

I think you've finally accomplished your goal and everyone's mad out there. So I challenge you: Let's call the election. Let's get on with it. Let's put your policies out to the people of Ontario and let's see if they really like them. Let's put them out to them. Let's call the election and let's get it over with. I challenge you with

that, because you have nothing left. You have no credibility left and this bill just finally took it all away from you in rural Ontario.

The Deputy Speaker: Any questions or comments?

Mrs Mathysen: I must say that I quite enjoyed listening to the member opposite. I will confess, though, that I found some of the logic rather strange. I couldn't quite understand some of the correlations the member made.

But I would like to comment on a couple of things. One is that he did have it quite accurate when he said that farms have indeed declined in terms of numbers, and I think it's safe to say that the kind of changes in production and the new efficiencies have contributed to that decline in terms of absolute numbers.

But I think it's also safe to say that a great many of the farmers who left farming did so because of the long-term effect of the small returns they received at the farm gate for the commodities they produced. That had a devastating effect on the farming community, and that's why this government put in place measures so that farm incomes were preserved so that families could indeed survive and continue to farm.

What the member opposite has failed to understand, and I guess he just wasn't listening carefully when this bill was explained to him, is that it was generated and asked for by the farming and rural community, that the task force that recommended to the ministers of Labour

and Agriculture, Food and Rural Affairs actively worked on what was needed in order for the farm community—and the difference in that particular industry to be recognized was part and parcel of what finally came out in Bill 91.

As my colleague from Perth quite accurately pointed out, the family farm is exempted, because it doesn't make sense to try to organize in smaller areas. What we are concerned about are the large factory farms where health and safety issues are of great concern, where we need to see improvements and where workers are very often at risk. This is a bill that affects the factory farm.

The Deputy Speaker: The member's time has expired. Any further questions or comments? The member for Essex South, if you wish. It is past 6 of the clock.

Mr Crozier: Very quickly, just to clarify something I said earlier today, I did in fact say farmers will not support this legislation if the minister fails to fix the bill and neither will we. It has been said a number of times by our co-critic of Agriculture from Northumberland that this bill should not exist, that it should in fact then be exempt under the Ontario Labour Relations Act. I think we are on record as to how we feel about this bill and the fact that it should not be passed and should not exist.

The Deputy Speaker: It being now past 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 1803.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD
Speaker/Président: Hon/L'hon David Warner
Clerk/Greffier: Claude L. DesRosiers
Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux: Alex D. McFedries
Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités: Deborah Deller
Sergeant at Arms/Sergent d'armes: Thomas Stelling

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algora	Wildman, Hon/L'hon Bud (ND) Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Énergie, ministre délégué aux Affaires autochtones	Grey-Owen Sound	Murdoch, Bill (PC)
Algoma-Manitoulin	Brown, Michael A. (L)	Guelph	Fletcher, Derek (ND)
Beaches-Woodbine	Lankin, Hon/L'hon Frances (ND) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce	Halton Centre/-Centre	Sullivan, Barbara (L)
Brampton North/-Nord	McClelland, Carman (L)	Halton North/-Nord	Duignan, Noel (ND)
Brampton South/-Sud	Callahan, Robert V. (L)	Hamilton Centre/-Centre	Christopherson, Hon/ L'hon David (ND) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Brant-Haldimand	Eddy, Ron (L)	Hamilton East/-Est	Mackenzie, Hon/L'hon Bob (ND) Minister of Labour / ministre du Travail
Brantford	Ward, Hon/L'hon Brad (ND) Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances	Hamilton Mountain	Charlton, Hon/L'hon Brian A. (ND) Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et ministre délégué à l'Assurance-automobile
Bruce	Elston, Murray J. (L)	Hamilton West/-Ouest	Allen, Hon/L'hon Richard (ND) Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce
Burlington South/-Sud	Jackson, Cameron (PC)	Hastings-Peterborough	Buchanan, Hon/L'hon Elmer (ND) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Cambridge	Farnan, Hon/L'hon Mike (ND) Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation	High Park-Swansea	Ziemba, Hon/L'hon Elaine (ND) Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Carleton	Sterling, Norman W. (PC)	Huron	Klopp, Paul (ND)
Carleton East/-Est	Morin, Gilles E. (L)	Kenora	Miclash, Frank (L)
Chatham-Kent	Hope, Randy R. (ND)	Kingston and The Islands / Kingston et Les îles	Wilson, Gary (ND)
Cochrane North/-Nord	Wood, Len (ND)	Kitchener	Ferguson, Will (Ind)
Cochrane South/-Sud	Bisson, Gilles (ND)	Kitchener-Wilmot	Cooper, Mike (ND)
Cornwall	Cleary, John C. (L)	Lake Nipigon/Lac-Nipigon	Pouliot, Hon/L'hon Gilles (ND) Minister of Transportation, minister responsible for francophone affairs / ministre des Transports, ministre délégué aux Affaires francophones
Don Mills	Johnson, David (PC)	Lambton	Mackinnon, Ellen (ND)
Dovercourt	Silipo, Hon/L'hon Tony (ND) Minister of Community and Social Services / ministre des Services sociaux et communautaires	Lanark-Renfrew	Jordan, Leo (PC)
Downsview	Perruzza, Anthony (ND)	Lawrence	Cordiano, Joseph (L)
Dufferin-Peel	Tilson, David (PC)	Leeds-Grenville	Runciman, Robert W. (PC)
Durham Centre/-Centre	White, Drummond (ND)	Lincoln	Hansen, Ron (ND)
Durham East/-Est	Mills, Gordon (ND)	London Centre/-Centre	Boyd, Hon/L'hon Marion (ND) Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
Durham West/-Ouest	Wiseman, Jim (ND)	London North/-Nord	Cunningham, Dianne (PC)
Durham-York	O'Connor, Larry (ND)	London South/-Sud	Winninger, David (ND)
Eglinton	Poole, Dianne (L)	Markham	Cousens, W. Donald (PC)
Elgin	North, Peter (Ind)	Middlesex	Mathysen, Irene (ND)
Essex-Kent	Hayes, Pat (ND)	Mississauga East/-Est	Sola, John (Ind)
Essex South/-Sud	Crozier, Bruce (L)	Mississauga North/-Nord	Offer, Steven (L)
Etobicoke-Humber	Henderson, D. James (L)	Mississauga South/-Sud	Marland, Margaret (PC)
Etobicoke-Lakeshore	Grier, Hon/L'hon Ruth (ND) Minister of Health / ministre de la Santé		
Etobicoke-Rexdale	Philip, Hon/L'hon Ed (ND) Minister of Municipal Affairs, minister responsible for the office for the greater Toronto area / ministre des Affaires municipales, ministre responsable du Bureau de la région du grand Toronto		
Etobicoke West/-Ouest	Stockwell, Chris (PC)		
Fort William	McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition		
Fort York	Marchese, Rosario (ND)		
Frontenac-Addington	Wilson, Hon/L'hon Fred (ND) Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga West/-Ouest	Mahoney, Steven W. (L)	St Andrew-St Patrick	Akande, Zanana L. (ND)
Muskoka-Georgian Bay	Waters, Daniel (ND)	St Catharines	Bradley, James J. (L)
Nepean	Daigeler, Hans (L)	St Catharines-Brock	Haeck, Christel (ND)
Niagara Falls	Harrington, Margaret H. (ND)	St George-St David	Murphy, Tim (L)
Niagara South/-Sud	Coppen, Hon/L'hon Shirley (ND) Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs	Sarnia	Huget, Bob (ND)
	Laughren, Hon/L'hon Floyd (ND) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony (ND)
Nickel Belt	Harris, Michael D. (PC)	Scarborough-Agincourt	Phillips, Gerry (L)
Nipissing	Jamison, Norm (ND)	Scarborough Centre/-Centre	Owens, Stephen (ND)
Norfolk	Fawcett, Joan M. (L)	Scarborough East/-Est	Frankford, Robert (ND)
Northumberland	Carr, Gary (PC)	Scarborough-Ellesmere	Warner, Hon/L'hon David (ND) Speaker / Président
Oakville South/-Sud	Rizzo, Tony (ND)		Curling, Alvin (L)
Oakwood	Caplan, Elinor (L)	Scarborough North/-Nord	Swarbrick, Hon/L'hon Anne (ND) Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Oriole	Pikey, Hon/L'hon Allan (ND) Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales	Scarborough West/-Ouest	Wessinger, Paul (ND)
Oshawa	Gigantes, Hon/L'hon Evelyn (ND) Minister of Housing / ministre du Logement	Simcoe Centre/-Centre	McLean, Allan K. (PC)
	Grandmaître, Bernard (L)	Simcoe East/-Est	Wilson, Jim (PC)
Ottawa Centre/-Centre	O'Neill, Yvonne (L)	Simcoe West/-Ouest	Murdock, Sharon (ND)
Ottawa East/-Est	McGuinty, Dalton (L)	Sudbury	Martel, Hon/L'hon Shelley (ND) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Ottawa-Rideau	Chiarelli, Robert (L)	Sudbury East/-Est	Ramsay, David (L)
Ottawa South/-Sud	Sutherland, Kimble (ND)		Hodgson, Chris (PC)
Oxford	Ruprecht, Tony (L)	Timiskaming	Witmer, Elizabeth (PC)
Parkdale	Eves, Ernie L. (PC)	Victoria-Haliburton	Kormos, Peter (ND)
Parry Sound	Haslam, Karen (ND)	Waterloo North/-Nord	Arnott, Ted (PC)
Perth	Carter, Jenny (ND)	Welland-Thorold	Morrow, Mark (ND)
Peterborough	Wark-Marty, Hon/L'hon Shelley (ND) Minister without Portfolio, Ministry of Health / ministre sans portefeuille, ministère de la Santé	Wellington	Abel, Donald (ND)
Port Arthur	Poirier, Jean (L)	Wentworth East/-Est	Harnick, Charles (PC)
	Johnson, Paul R. (ND)	Wentworth North/-Nord	Kwinter, Monte (L)
Prescott and Russell / Prescott et Russell		Willowdale	Cooke, Hon/L'hon David S. (ND) Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main-d'œuvre
Prince Edward-Lennox-South Hastings/ Prince Edward-Lennox-Hastings-Sud	O'Neil, Hugh (L)	Wilson Heights	Dadam, George (ND)
Quinte	Hampton, Hon/L'hon Howard (ND) Minister of Natural Resources / ministre des Richesses naturelles	Windsor-Riverside	Lessard, Wayne (ND)
Rainy River	Conway, Sean G. (L)		Sorbara, Gregory S. (L)
	Churley, Hon/L'hon Marilyn (ND) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	Windsor-Sandwich	Malkowski, Gary (ND)
Renfrew North/-Nord	Villeneuve, Noble (PC)	Windsor-Walkerville	Turnbull, David (PC)
Riverdale		York Centre/-Centre	Beer, Charles (L)
		York East/-Est	Rae, Hon/L'hon Bob (ND) Premier, President of the Executive Council, Minister of Inter-governmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
S-D-G & East Grenville / S-D-G et Grenville-Est		York Mills	Mammoliti, George (ND)
		York-Mackenzie	
		York South/-Sud	
		Yorkview	

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉ PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

Administration of justice/Administration de la justice

Chair/Président: Rosario Marchese
Vice-Chair/Vice-Présidente: Margaret H. Harrington
Zanana L. Akande, Gilles Bisson, Robert Chiarelli,
Alvin Curling, Christel Haeck, Charles Harnick,
Gary Malkowski, Tim Murphy, David Tilson,
David Winninger
Clerk/Greffière: Donna Bryce

Estimates/Budgets des dépenses

Chair/Président: Cameron Jackson
Vice-Chair/Vice-Président: Ted Arnott
Donald Abel, Gary Carr, Noel Duignan, Murray J. Elston,
Derek Fletcher, Pat Hayes, Wayne Lessard,
Steven W. Mahoney, David Ramsay, Jim Wiseman
Clerk/Greffière: Tonia Grannum

Finance and economic affairs/

Finances et affaires économiques

Chair/Président: Paul R. Johnson
Vice-Chair/Vice-Président: Jim Wiseman
Elinor Caplan, Gary Carr, W. Donald Cousens,
Karen Haslam, Norm Jamison, Monte Kwinter,
Wayne Lessard, Irene Mathysen, Gerry Phillips,
Kimble Sutherland
Clerk/Greffière: Lynn Mellor

General government/Affaires gouvernementales

Chair/Président: Michael A. Brown
Vice-Chair/Vice-Président: Hans Daigeler
Ted Arnott, George Dadamo, Bernard Grandmaître,
David Johnson, George Mammoliti, Gordon Mills,
Mark Morrow, Gregory S. Sorbara, Paul Wessinger,
Drummond White
Clerk/Greffier: Franco Carrozza

Government agencies/Organismes gouvernementaux

Chair/Présidente: Margaret Marland
Vice-Chair/Vice-Président: Allan K. McLean
James J. Bradley, Jenny Carter, John C. Cleary,
Alvin Curling, Robert Frankford, Margaret H. Harrington,
Gary Malkowski, George Mammoliti, Daniel Waters,
Elizabeth Witmer
Clerk/Greffière: Lynn Mellor

Legislative Assembly/Assemblée législative

Chair/Président: Ron Hansen
Vice-Chair/Vice-Président: Paul Wessinger
George Dadamo, Paul R. Johnson, Ellen MacKinnon,
Irene Mathysen, Carman McClelland, Gilles E. Morin,
Norman W. Sterling, Barbara Sullivan, Kimble Sutherland,
Noble Villeneuve
Clerk/Greffière: Lisa Freedman

Ombudsman

Chair/Président: Tony Rizzo
Vice-Chair/Vice-Président: Gary Wilson
Donald Abel, Zanana L. Akande, Mike Cooper,
Karen Haslam, D. James Henderson, Tony Martin,
Frank Miclash, Bill Murdoch, David Ramsay,
Chris Stockwell
Clerk/Greffier: Todd Decker

Public accounts/Comptes publics

Chair/Président: Joseph Cordiano
Vice-Chair/Vice-Présidente: Dianne Poole
Gilles Bisson, Robert V. Callahan, Bruce Crozier,
Robert Frankford, Rosario Marchese, Margaret Marland,
Larry O'Connor, Stephen Owens, Anthony Perruzza,
David Tilson
Clerk/Greffier: Todd Decker

Regulations and private bills/

Règlements et projets de loi privés

Chair/Présidente: Christel Haeck
Vice-Chair/Vice-Présidente: Ellen MacKinnon
Ron Eddy, Derek Fletcher, Ron Hansen, Pat Hayes,
David Johnson, Leo Jordan, Gordon Mills, Hugh O'Neil,
Anthony Perruzza, Tony Ruprecht
Clerk/Greffière: Tonia Grannum

Resources development/Développement des ressources

Chair/Président: Bob Huget
Vice-Chair/Vice-Président: Mike Cooper
Sean G. Conway, Joan M. Fawcett, Leo Jordan, Paul
Klopp, Sharon Murdoch, Steven Offer, David Turnbull,
Daniel Waters, Gary Wilson, Len Wood
Clerk/Greffière: Tannis Manikel

Social development/Affaires sociales

Chair/Président: Charles Beer
Vice-Chair/Vice-Président: Ron Eddy
Jenny Carter, Dianne Cunningham, Randy R. Hope,
Tony Martin, Dalton McGuinty, Larry O'Connor,
Yvonne O'Neill, Stephen Owens, Tony Rizzo, Jim Wilson
Clerk/Greffier: Douglas Arnott

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

CONTENTS

Tuesday 31 May 1994

MEMBERS' STATEMENTS

Cultural celebrations	
Mr Cleary	6515
Pickering nuclear generating station	
Mr Jordan	6515
Mental health services	
Mr Marchese	6515
Games for the disabled	
Mr Ramsay	6515
Boating safety	
Mr McLean	6516
Special Ability Riding Institute	
Mrs Mathysen	6516
Ontario Provincial Police	
Mr Conway	6516
Ida Nudel	
Mr Cousens	6516
Leader of the third party	
Mr Abel	6517

ORAL QUESTIONS

Pornography	
Mrs McLeod	6517
Mr Christopherson	6517, 6521
Mrs Cunningham	6521
Emergency services	
Mrs McLeod	6518
Mrs Grier	6519
Elizabeth Fry Society	
Mr Runciman	6520
Mr Christopherson	6520
TVOntario headquarters	
Mrs McLeod	6522
Ms Swarbrick	6522
Metropolitan Toronto Housing Authority	
Mrs Marland	6523
Ms Gigantes	6523

Young offenders

Mr Sutherland	6523
Mrs Boyd	6524

Forest management

Mr Brown	6524
Mr Hampton	6524

Municipal development

Mr McLean	6525
Mr Philip	6525

Benefits for older workers

Mr Hansen	6526
Mr Mackenzie	6526

PETITIONS

Sexual orientation

Mr O'Neil	6526
Mr Murdoch	6526
Mr North	6527
Mr McLean	6528

Tobacco packaging

Mrs Haslam	6527
Mr O'Connor	6527
Mr Abel	6529

Kettle Island bridge

Mr Morin	6527
----------------	------

Firearms safety

Mr Eves	6527
---------------	------

Education financing

Mr Curling	6528
------------------	------

Social contract

Mr Sutherland	6528
---------------------	------

Mental health services

Mr Ruprecht	6528
-------------------	------

Junior kindergarten

Mr Arnott	6529
-----------------	------

Land-lease communities

Mrs Mathysen	6529
--------------------	------

FIRST READINGS

Ontarians with Disabilities Act, 1994,

Bill 168, <i>Mr Malkowski</i>	
Mr Malkowski	6529
Agreed to	6529

SECOND READINGS

Agricultural Labour Relations Act,

1993, Bill 91, <i>Mr Mackenzie</i>	
Mrs Mathysen ..	6529, 6532, 6552
Mr Crozier	6531, 6533, 6537, 6540, 6546, 6552
Mr Jim Wilson ..	6531, 6536, 6537, 6541
Ms Haeck	6532
Mr Sutherland	6532, 6540
Mr Cooper	6536, 6543
Mr McLean	6536
Mr North	6541, 6544
Mr Stockwell	6541
Mr Arnott	6543, 6548
Mrs Fawcett	6543, 6548
Mrs Haslam	6544, 6546
Mr Offer	6547, 6548
Mr Murdoch	6550
Debate deemed adjourned	6552

ROYAL ASSENT

The Lieutenant Governor	6533
-------------------------------	------

OTHER BUSINESS

Visitors

The Speaker	6517
-------------------	------

TABLE DES MATIÈRES

Mardi 31 mai 1994

PREMIÈRE LECTURE

Loi de 1994 sur les Ontariens qui ont un handicap, projet de loi 168,	
<i>M. Malkowski</i>	6529
Adoptée	6529

DEUXIÈME LECTURE

Loi de 1993 sur les relations de travail dans l'agriculture, projet de loi 91,	
<i>M. Mackenzie</i>	6529
Débat ajourné	6552

SANCTION ROYALE

Le lieutenant-gouverneur	6533
--------------------------------	------

No. 136



N° 136

ISSN 1180-2987

**Legislative Assembly
of Ontario**

Third Session, 35th Parliament

**Assemblée législative
de l'Ontario**Troisième session, 35^e législature**Official Report
of Debates
(Hansard)**

Wednesday 1 June 1994

**Journal
des débats
(Hansard)**

Mercredi 1 juin 1994

Speaker
Honourable David WarnerClerk
Claude L. DesRosiersPrésident
L'honorable David WarnerGreffier
Claude L. DesRosiers*50th anniversary**1944–1994**50^e anniversaire*

Hansard is 50

Hansard reporting of complete sessions of the Legislative Assembly of Ontario began on 23 February 1944 with the 21st Parliament. A commemorative display may be viewed on the main floor of the Legislative Building.

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats a 50 ans

Le reportage des sessions intégrales de l'Assemblée législative de l'Ontario, fait par le Journal des débats, a commencé le 23 février 1944 avec la 21^e législature. Une exposition pour marquer cet événement est étalée au premier étage de l'Édifice du Parlement.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 1 June 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 1 juin 1994

The House met at 1334.

Prayers.

MEMBERS' STATEMENTS

WATER QUALITY

Mr James J. Bradley (St Catharines): The home of the Royal Canadian Henley Regatta is the subject of much debate and discussion in the city of St Catharines, as the very future of the rowing course may be threatened by silting and the cost of the cleanup of the contaminated sediment should dredging be initiated.

If world-class rowing events are to be attracted to the Henley, and indeed if existing rowing events are to be retained in St Catharines, the course must eventually be dredged to meet rowing standards.

More than athletic issues, however, confront this course. Of even greater importance is the environmental health of the watercourse, which has been the historic recipient of industrial, agricultural and municipal contaminants in years gone by.

While senior levels of government have established hot-spot designations for several sites on the Great Lakes and assigned priority to these locations for environmental cleanup, it is clear that hundreds of other sites, such as the Henley Basin, deserve equal consideration from senior levels of government.

To meet the challenge of the future of rowing in St Catharines and the environmental betterment of the waterway on which rowing takes place will require a team of municipal, provincial and federal elected representatives working together with rowing enthusiasts, the private sector and community groups.

If we all pull together, we can cross the finish line as winners.

AGA KHAN FOUNDATION

Mr David Johnson (Don Mills): I am pleased today to outline the contribution of the Ismaili community, estimated to be 35,000 people in the province of Ontario.

Last weekend my colleague Don Cousens and I participated in the Partnership Walk '94, a 10-kilometre, fund-raising walk organized by the Aga Khan Foundation of Canada with the objective to raise approximately \$1.5 million to be directed to assisting women to establish business opportunities in developing Third World countries.

In Toronto, on May 29, over 5,000 participants raised an estimated \$250,000. At the same time, Aga Khan Foundation Canada volunteers hosted similar events in Ottawa, Kitchener and other Canadian cities involving 60,000 Canadians.

During the 10 years this event has occurred, substantial funds have been raised to support health, education,

environmental and rural development programs in Africa and Asia.

On June 12, the Aga Khan Council for Ontario has organized as a youth project the 10th annual 10K run, with a fund-raising objective of \$50,000, to be directed to the United Way of Greater Toronto. This year's event will begin at the North York Civic Centre. I extend my congratulations to the expected 2,000 runners and volunteers who will be working with the United Way of Greater Toronto to assist those most in need.

Congratulations to the Aga Khan Foundation and the Ismaili community for this fine work.

GRAPE AND WINE INDUSTRY

Ms Christel Haec (St Catharines-Brock): I have received a letter from Mr Tom Greensides, chair of the Ontario Grape Growers' Marketing Board, who is asking our government and the federal government to follow the lead of the United States Congress and proclaim one week in the year Wine Appreciation Week. As the MPP for the wine-rich area of Niagara, I wholeheartedly support Mr Greensides's suggestion and will be following up with a formal letter to you, Mr Speaker, requesting your support for a Wine Appreciation Week.

It should come as no surprise to any member that the wine industry has become one of the most significant industries in our province over the last decade. New wineries are an expanding part of the agriculture and tourism sectors. Each year, more and more people come to the Niagara region to take a tour of the 15 wineries from Stoney Creek to Niagara Falls, and more new estate wineries are coming on stream each year.

The Ontario grape and wine industry is a job creator and a moneymaker. It provides full-time and seasonal jobs for some 10,000 people. It alone generates more than \$100 million a year in revenue for the government. In an overall declining market, Ontario wines have increased their provincial market share in the past four years from 35% to 40%, a remarkable achievement.

Recently, I had the privilege of attending the official opening of the new Chateau des Charmes chateau in Niagara-on-the-Lake. The Bosc family has poured their heart and soul into this project, and their unique French-style chateau is symbolic of the affection they have for the wine industry and the success they have gained as a result.

Mr Speaker, I look forward to your support and for all parties to support this initiative.

INJURED WORKERS

Mr Bruce Crozier (Essex South): Today, as the Legislature does on every June 1 of every year, we recognize the plight of injured workers across Ontario.

Since before the Industrial Revolution, the threat of

injury and death at the work site has been a fact of life in all jobs, and even though the nature of work in Ontario has changed substantially in the 20th century, employees still face situations where they're injured on the job.

Whether the government has been Liberal, Conservative or NDP, elected officials in this province have worked very hard in an effort to reduce and ultimately eliminate the threat of injury on the job.

We all know that the government is facing a financial squeeze and is cutting costs wherever it can. We on this side of the House hope that they would not decide to make injured workers pay through reduced funding to those government programs that help eliminate workplace injuries.

But we also know that money is only part of the answer. It will take a concerted effort among workers and employers to create the safest work environments. We have made great strides in this area in the past, but we must continue to improve upon this record if we are ever to see an end to the suffering of workers and their families because of unnecessary workplace injuries.

1340

VEHICLE SAFETY

Mr Bill Murdoch (Grey-Owen Sound): This statement is for the Minister of Transportation. Minister, two of my constituents, John Baine and William Hemington, wrote to you to express their concerns about the insurance mechanical fitness certificates in Ontario.

Unfortunately, your reply failed to address their concerns or answer their questions. As a result, I stand today on their behalf with a commonsense proposition: Every time a vehicle changes ownership, it should be subject to a safety inspection. Currently, a safety certificate is valid for 36 days after the inspection of the vehicle. When a certificate is issued, two copies are given to the customer: a white copy and a yellow copy. The Minister of Transportation requires the white copy to register the vehicle in the purchaser's name; the yellow copy or receipt should be kept by the purchaser.

It sounds simple enough, but a problem arises in the fact that the yellow copy can in turn be used to resell the vehicle without inspection within the prescribed 36 days. At this point, the inspection station which issued the certificate loses control of the condition of the vehicle, but is still liable for its overall mechanical safety, liable for up to \$25,000 in fines if found accountable for mechanical failure.

During the time between certificate insurance and expiry, a vehicle can be subject to an unlimited amount of mileage, wear, tear and abuse. In addition, there is always the possibility that good parts will be removed and replaced with inferior, damaged parts before resale.

The Highway Traffic Act outlines strict minimum safety standards which inspection stations must follow in order to ensure fitness of a vehicle. This is not enough. The present procedures need to be revised so that all vehicles must be reinspected before each sale.

Without this, buyers of used vehicles and their families are subject to the risk of injury or death from an accident due to mechanical failure.

SENIOR CITIZENS' MONTH

Mr Drummond White (Durham Centre): Today, Whitby receives the Honourable Ruth Grier, Minister of Health. She will start her visit by officially launching Seniors' Month at Fairview Lodge, a home for the aged.

Recently, I met with the residents at the Fairview Lodge. They had a concern because they were limited to a two-week leave each year. I conveyed their concerns to the minister and the minister listened. Just a few weeks ago, the Ministry of Health modified the vacation leave to permit absence of up to a month and make leave for outside health care far more flexible.

Later, the Minister of Health will proceed to Whitby General Hospital. There she will dedicate the Tree of Life in honour of hundreds of donors who have reached deep into their pockets to build a community facility for medical care that has served our community for 25 years.

To conclude her visit to Whitby and to Durham Centre, the honourable member will, weather permitting, view the freshly painted murals at the Whitby Psychiatric Hospital as part of its 75th anniversary.

As you may know, the Whitby Psychiatric Hospital is being completely rebuilt, a \$133.5-million commitment to mental health care in our province. The people of Durham Centre, of Whitby and of Oshawa, welcome today's visit by the Honourable Ruth Grier as she officially launches Seniors' Month and celebrates the many years of service by our two outstanding facilities.

CLEAN AIR CAMPAIGN

Mr Steven Offer (Mississauga North): I'd like to take this opportunity to bring to the attention of members of the House and people throughout the province a very important event which was launched earlier today by Pollution Probe and the Lung Association at an event that seeks to improve air quality throughout Ontario.

The event is called the Clean Air Campaign and its aim over the next month is to make very clear the link that exists between human health problems and the quality of air that we breathe.

The Clean Air Campaign is being marked by a number of events throughout the month of June including a free vehicle emissions testing clinic for Ontario motorists between June 14 and 16, a clean air commute challenge with the city of Vancouver on June 22, a guided bicycle tour of Tommy Thompson Park on June 25, and numerous speeches and educational displays in office buildings, corporations and organizations around the province.

Accompanying the Clean Air Campaign launch is the release of the report entitled Let's Make One Thing Perfectly Clear, which identifies transportation, and in particular cars, trucks and the infrastructure that keeps them moving, as the largest single contributor to smog-causing pollution in Ontario.

There are many things that we as individuals can do to improve air quality within the province. We all have an interest in reducing the amount of air pollution that is created and improving the quality of air that we breathe. Through participating in the Clean Air Campaign this month and throughout the rest of the year, we can all make a difference. I would like to congratulate both

Pollution Probe and the Lung Association on this most important initiative.

AMYOTROPHIC LATERAL SCLEROSIS

Mr David Tilson (Dufferin-Peel): I rise in the House today to remind members of the Legislature that this coming weekend marks ALS Awareness Days. Amyotrophic lateral sclerosis was given public attention when Lou Gehrig was diagnosed with this disease. More recently Sue Rodriguez in British Columbia and Dennis Kaye in his book, *Laugh, I Thought I'd Die*, both gave ALS the public awareness it deserves.

ALS is a fatal neuromuscular disease that strikes one in 50,000 Canadian adults. I have a personal interest in this devastating disease because several years ago my father passed away as a result of ALS. ALS crosses all social and economic boundaries. The average life expectancy of a person with ALS is two and a half years. ALS affects twice as many men as women. Recently, scientists have discovered the gene that causes ALS and we are now working towards a treatment and eventual cure.

For the past nine years, the ALS Society of Canada has held the annual cornflower campaign to raise funds for medical research. To commemorate Lou Gehrig's death, this weekend and throughout the month of June volunteers in communities throughout Ontario will be participating in flower days to raise awareness for ALS and to ask for donations that will be used towards medical research.

In my riding of Dufferin-Peel, the Orangeville Optimist Club has organized the local cornflower campaign and will be offering the symbolic cornflower in exchange for a donation to ALS. When you see the volunteers with the blue cornflowers, please give generously so that together we can eliminate this devastating disease.

NATIONAL ACCESS AWARENESS WEEK

Mr Gary Malkowski (York East): This week is National Access Awareness Week. Since its inception seven years ago, the focus of National Access Awareness Week has been to promote public awareness of disabilities and to set goals for attaining full access to services and facilities in our community.

In keeping with that spirit, I am pleased to announce that in East York, Centennial College is renovating its facilities to include a state-of-the-art, fully accessible electronic auditorium and multi-use community theatre. The theatre will be fully accessible to disabled, deaf, deafened and hard of hearing patrons. The upgraded facility will be managed by a community management board to ensure full community participation and access.

The East York Symphony, the Pelican Players, Masani Youth Upright Theatre and the Greek Community Dance Theatre are just some of the many community-based groups that will now call this theatre their home.

1350

On May 25, I was happy to announce Jobs Ontario Community Action funding, through the Ministry of Culture, Tourism and Recreation, in the amount of \$1 million towards this renovation. The project will create 38 construction jobs and contribute to the economic renewal of Pape Village businesses and restaurants.

The Speaker (Hon David Warner): Statements by ministers? It is now time for oral questions; the honourable House leader of the opposition, the member for Bruce.

A point of order?

NATIONAL ACCESS AWARENESS WEEK

Mrs Margaret Marland (Mississauga South): On a point of order, Mr Speaker: It is my understanding that there was a request from the government minister to have unanimous consent to make a statement on National Access Awareness Week. I understand that unanimous consent was not agreed to because the Liberals disagreed with that request.

On a personal point, I have a statement prepared for National Access Awareness Week and I am very disappointed that the Liberals would not find this a significant or important enough week to be recognized by a unanimous consent statement by the government members and the opposition members.

The Speaker (Hon David Warner): On the same point of order, the House leader.

Mr Murray J. Elston (Bruce): Mr Speaker, in this place, the House leaders have always endeavoured to manage the issue of unanimous consents so that we don't have a unanimous consent on every occasion.

While all of us here view National Access Awareness Week with the very highest degree of appreciation, we have always maintained that through members' statements, if the caucuses wish to pursue members' statements, there is ample opportunity to make the views known. At the same time, each of us is quite well able to make sure that we tell all the people who are interested in National Access Awareness Week, through our actions and through our votes in this Legislature, that in fact it is important.

While I now regret that time has been taken off the clock as a result of there not being anything but an adherence to what has been the operations of the three House leaders in the past, if people want to pursue a statement on National Access Awareness Week, I am quite prepared to consent to that and I ask for unanimous consent for that now to occur.

The Speaker: Is there unanimous consent for a statement on National Access Awareness Week? Agreed. Is there anyone who wishes to speak to this item?

Mrs Marland: Every year in the first week of June, Canadians mark National Access Awareness Week. It is one way to raise public awareness of the need to break down the barriers which prevent persons with disabilities from having the same quality of life as persons who are not disabled.

When we talk about improving accessibility for disabled persons, most of us think of installing wheelchair ramps where there are stairs, putting Braille buttons on elevators or providing buses and taxis that accommodate wheelchairs. In other words, we think about ways to remove physical barriers to access. But what about the attitudinal, social and financial barriers?

Too often we see people who, when talking to a person who uses a wheelchair, will bend over and shout at that

person as if he or she is hard of hearing. Too often people talk to a person with a hearing aid as if that person has an intellectual disability. Why do we do this? Why do we assume that a person with one disability must have other disabilities?

Also, why do we label people who have disabilities? Why do we talk about "the disabled," "the deaf" and "the blind"? Why do we use negative language, such as "wheelchair-bound"? A wheelchair user will tell you that it gives them freedom and it is not binding.

We will make real progress when we no longer use words like "access" or "accommodation" because we consider adjustments for disabled persons to be an automatic right rather than a special program.

We will make real progress when we provide the support that persons with disabilities need without their having to organize special lobby weeks and days to convince us of their needs and our responsibilities.

I think we should be ashamed of ourselves as legislators and citizens when we let families struggle, trying to meet the needs of a disabled relative, without helping them. What kind of society are we that does not provide for the needs of its more vulnerable members? There can be no excuses for failing to provide this help.

I am particularly aware of the needs of persons with developmental disabilities, many of whom have come to me seeking help. Since the recession hit in 1990, they have seen their funding cut or frozen and their supports weakened. The number of hours of special services at home have been drastically cut. Waiting lists have grown so long that some have been closed. For many adults, there are no supports whatsoever.

My private member's resolution of last December, which called for improvements to the way we fund persons with developmental disabilities, received the overwhelming and unanimous support of this House. Yet six months later the minister has yet to answer my letter about the resolution, let alone make the changes the resolution suggested.

One way that National Access Awareness Week can really help people is if people take the time to learn what it is like for people with disabilities. If more people would volunteer with the many organizations that help persons with disabilities, they would learn first hand how disabled persons and their support services struggle to make do with severely limited resources. They would see that there are thousands of people out there who need these support services but cannot gain access to them. I really believe that if more of us opened our eyes to the reality of being disabled without the necessary support, there would be a groundswell of opposition to our collective neglect of our responsibilities.

National Access Awareness Week is an important initiative, but it runs the risk of becoming meaningless if we cannot match words with action. For Rick Hansen, the wheelchair athlete who started National Access Awareness Week, and for all the people who work hard to make this week a success, we as legislators have a responsibility to improve access. No matter how hard the economic times, we cannot ignore the need of persons with disabilities

to have ready access to education, employment, housing, recreation and transportation. Access is not a privilege, it is a right.

Mr Gary Malkowski (York East): I'm very happy to participate in this celebration of National Access Awareness Week on behalf of the Ontario government. We have an excellent record of what we've been able to provide in terms of services for the disabled community, and if we look back we can see the excellent record we have.

I think you can see it in the Advocacy Act and the Substitute Decisions Act, legislation that protects vulnerable people and provides access. As well, when you look at the employment equity legislation, it ensures that everyone has an opportunity for employment. With the Ontario Training and Adjustment Board, which includes persons with disabilities having access to training programs and opportunities to employment, we know there is a commitment to ongoing removal of the barriers. The goal is for access and full participation for all members of society. I'm very proud to say that the government has the commitment to provide the support and access for people, and this week is just one example of it.

It is important that people raise awareness through business, labour and working together to make sure that everyone has a place in society, including persons with disabilities, and that we look at the whole issue of global accessibility for all members of society and the important contribution disabled community members can have, which can lead to greater independence and accessibility.

I'm very proud to inform the House of a few things that show the excellent record our government has.

1400

Mr Alvin Curling (Scarborough North): It is a pleasure for me to rise in the House on behalf of my leader, Lyn McLeod, and my caucus and, if I may be so forward, I would say on behalf of all the members here, who support the progress of access to people who have been shut out.

May 30 to June 5 is regarded as National Access Awareness Week. We want, as my colleagues have said, to make sure this week raises that kind of awareness about the struggles these individuals have.

But the fact is that I could also rise in the House, and sometimes I'm tempted to, to criticize the government for not doing the things and giving the proper resources that are so needed in that community. I could also say to the third party that we can make political statements like, "Why are we not recognizing access week?" but the bottom line is that those who need it are caught up in debates, like mother and father fighting over a kid while the individual is starving. If we put our resources together, we can do a lot for those who are shut out of the system.

We know that all governments and all parties that have been in government have tried to make access to those who need it so badly. When we were the government we were criticized for not moving quickly enough, and we have criticized the present government for not moving quickly enough on certain regulations. That's our job.

We know that people have been suffering in regard to transportation and have asked us for proper transportation, and access to employment, access to education, access to housing, access to recreation and of course access to communication.

To talk for a moment about a couple of things that come to mind, I know of many people in the business community who are making great efforts. I want to applaud those in the business community who are making those efforts to increase access to employment and to communication and the works, even access to housing. But I also feel things can move much quicker.

One of the main matters about this is that not only must we be sensitive to the people who are out there, but it takes us time to understand the pain and suffering they go through day to day to live worthwhile in our society.

I would take the opportunity to appeal to the government, which had at one stage so vigilantly moved to get employment equity in place. As the previous speaker stated, they're proud of the employment equity legislation they brought forward. But the regulations are about six or seven months behind, and we have not seen them. What we have seen at times is that some governments will do something in a patronizing way, leaving those people with a hope that things are happening, and it is not so.

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): You voted against it. Why would you want the regulation?

Mr Curling: The Premier himself says I voted against employment equity. The fact is that I knew they would not come through. In December 1993, we voted on the legislation in hope we'd have that regulation here, and that's not here. I appeal to the government to put all its talk into action, and let's have that.

I want to say to those who are advocates for the disabled and all those who are seeking access to continue and to persevere in the things you believe in, because I am convinced that my colleague in the House, Lyn McLeod—we have from time to time sat down and spoken about some of the better things we can do for the disabled, but we feel there's a lot to be done. The education is not only on the disabled but on those who are able to understand those suffering.

On behalf of my party, I just wanted to say that we are believers in the fact that there is still more to be done. And we are of course very mindful of the huge cuts in public expenditures, cutting funds for the disabled. I hope the government will come to its senses and realize that every cut in the budget for the disabled means suffering for some family, goes beyond those who are disabled, and that the families are those who have to carry that burden.

MEMBER'S PRIVILEGE

The Speaker (Hon David Warner): On Thursday, May 12, the member for York Mills (Mr Turnbull) rose on a question of privilege to inform the House that his privilege of freedom of speech had been circumscribed by virtue of the fact that the government had not sought the approval of the House for any of its budgets. The member also indicated that the way in which the government

was choosing to conduct its business with respect to the budget motion constituted a violation of his right to vote.

The member submitted that whereas budget motions have been fully debated and voted upon every year except certain election years in the period from 1980 to 1990, no budget motion had been voted on since that time. In fact, at the present time there are two budget motions on the Orders and Notices paper, one for 1993 and the other for 1994. According to the member, this state of affairs violated the customs and traditions of the House.

Let me begin my response to the member's concern by referring members to standing order 57(a), which reads as follows:

"The budget motion, upon proper notice, shall be moved by the Treasurer following the completion of the debate on the motion for an address in reply to the speech from the throne, and amendments, and in so doing the Treasurer shall present the budget and budget papers."

Members will know that this rule imposes minimal restrictions or requirements with respect to the budget process, unlike the situation in other Canadian and Commonwealth jurisdictions. Many of those jurisdictions have rules that require a certain number of days of debate on the budget motion, that give precedence to the budget motion over other orders, and that require the question on the budget motion to be put to the House at the designated time. By contrast, this House has no such restrictions or requirements.

Let me now make a few remarks about the nature of privilege. As Speaker Edighoffer stated (at page 147 of the Journals for December 10, 1985), "It is only in very extreme circumstances that there can come to the House a legitimate case of privilege on the basis of the real and accepted and traditional definition of parliamentary privilege." Citation 24 of the sixth edition of Beauchesne states that "[t]he privileges of Parliament are rights which are 'absolutely necessary for the due execution of its powers.'"

In reviewing the usual parliamentary authorities, I have found no authority for the proposition that the failure of the House to vote on the budget motion, or the failure of the government to call the order for resuming the adjourned debate on the budget motion, is a matter that touches the privilege of freedom of speech. Indeed, Erskine May states (at page 86 of the 21st edition) that "the privilege of freedom of speech protects what is said in debate," and that is not the kind of situation that is before me now.

To this I might add that standing order 54 provides that "[e]xcept as otherwise provided in these standing orders, government business will be taken up in the discretion of the government House leader or a minister acting in his or her place."

On this point, I refer members to two rulings by Speaker Stokes. In the first one, the Speaker was faced with a situation in which a member rising on a question of privilege alleged that the acting government House leader was preventing the House from considering an important matter by not scheduling it for debate. The

Speaker made the following remarks (at page 2292 of Hansard for May 29, 1979):

"[I]t is not the responsibility of the Chair to order the business of this House.... The ordering of business is the responsibility of the government House leader in consultation with the other two House leaders.... [Y]ou wouldn't want the Chair to be forcing its position on the ordering of the business of this House or its committees. It must be resolved by the proper authorities. There is nothing I can do about it."

In the second case, a member had objected to the government's introduction of the supply bill before the budget had been approved. The Speaker indicated (at page 5362 of Hansard for December 12, 1980) that he was "at the pleasure of the House" on the matter.

In summary, let me reiterate that in certain Parliaments the standing orders resemble ours, others have prescribed a limit of days for the debate and still others impose an obligation to vote on the budget. If the members want to establish a more specific budget procedure, amendments would be required to our standing orders.

In the meantime, as previously stated, it is not the prerogative of the Chair to order the business of the House. In addition, I can find no authority that supports the argument that the failure of the government to call any particular item of business for the consideration of the House violates the privilege of freedom of speech.

In closing, then, I find that no *prima facie* case of privilege has been made out, but I do thank the member for York Mills for raising his concerns and, in particular, for the way in which he presented his case to me and to the House.

1410

Mr David Turnbull (York Mills): On a point of order, Mr Speaker: By way of clarification to your ruling, I would ask you, do I understand you to say that in fact there is no requirement in this House to have any debate or vote on budget bills and, by extension of that, do I understand that we would also be in the position that there would be no requirement for debate or votes on throne speeches? That would be the implication that I would draw from your ruling, Mr Speaker. Perhaps you could enlighten me.

The Speaker: The member raises a different matter. First, as I had indicated earlier, there is nothing in the standing orders which would compel a vote on the budget. The member talks about budget bills, and that is a different matter. We have a prescribed routine for the throne speech clearly outlined in our standing orders. But the member is absolutely correct that there is nothing in our standing orders currently that prescribes a vote on the budget. As I stated, if members of the House wish to change that, they indeed have a process by which they can accomplish a change.

ORAL QUESTIONS

JUSTICE SYSTEM

Mr Murray J. Elston (Bruce): To the Attorney General, an article in the May 16 edition of the Toronto Star outlined the circumstance of a particular tenant in a facility in Toronto. This woman had been stalked by an

individual for some eight months. A series of charges were levied, including a charge under section 264, I believe it is, of the Criminal Code, the stalking charge. In addition, there were several other charges laid. At the end of the circumstance, your crown attorney basically went with a plea bargain and didn't bother pursuing the criminal harassment charge.

Can the Attorney General advise me today what directions have been given to crown attorneys with respect to the administration of this section and its charges, how many plea bargains have opted out of addressing the criminal harassment charges, and what she intends to do about making sure this section is fully enforced in the province of Ontario?

Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues): As the member is well aware, I would not be in any position to comment on the particulars of any particular case.

It is important for members in this House to understand that decisions around the early resolution of a situation where there are multiple charges depends very much on the facts in a particular case: the situation around the particular offender, whether there may have been previous occasions on which the person had been charged or convicted of similar offences, and so on.

Those kinds of decisions are made and are presented to the court as a resolution to the issue. There may, in many cases, be many conditions that are attached to whatever kind of conviction is registered. There may well be an agreement about the way in which this sort of thing happens. Without having all of the details—as none of us would have except those intimately involved in the case, including the judge to whom a decision is presented—we could all be back-seat drivers in the criminal justice system all the time without having those facts at our fingers and being sure that indeed the decisions are being made appropriately.

When this law came into effect—earlier than we expected, frankly, on August 1 of this year—we immediately alerted the crown attorneys from our ministry, and I believe the police were alerted from the Solicitor General's ministry, about the way in which this law should be applied.

I do not keep statistics in the ministry about the resolution of every charge, in the sense that—and it's important for people to understand—there are 4.5 million charges in this province every year.

The Speaker (Hon David Warner): Would the minister conclude her response, please.

Hon Mrs Boyd: What we are doing, however, is that in the locations where we have put the investment strategy into place, we are monitoring to ensure that the most serious charges—

The Chair: Could the minister please conclude her response.

Hon Mrs Boyd: —for which there is evidence to proceed under the tests in terms of disclosure of evidence and early resolution as set out in the Martin committee report, if those tests are there, then procedures will go ahead.

Mr Elston: For an individual who had no specific information about any of this material, we sure got a lot of stuff out of that individual.

But let me say this much: When we contacted the crown attorney, he advised us that in this particular case the section was not to apply because the criminal harassment section, he was told, only applies to harassment of women by former boyfriends or former husbands.

When I read the section again, just to clarify in my own mind, it says nothing about any kind of interpersonal relationships having been established. It seems to me that the crown attorneys should receive some direction from you that this is to deal with harassment of any individual, whether or not there was any previous or prior interrelationship carrying on.

I just happen to have a copy of your manual, which talks about resolution discussions, which used to be called in the old days "plea bargaining," and it still is plea bargaining.

Can you tell me where in here, in the manuals, you have given any consideration to requiring your crown attorneys to forcefully implement the provisions or follow the provisions of the criminal harassment section, where you have directed them, as you have in situations where firearms are involved under section 85 offences, that there will not be plea bargaining except under extenuating circumstances?

Can you advise me if my copy of the guide to the crown attorneys is out of date and if you have given them instructions to forcefully enforce 264, the criminal harassment section, when a harassment charge is laid, and under what circumstances, if that has not been done, you are now going to tell them to enforce the section?

Hon Mrs Boyd: I think the member and the other members of this House know how seriously I regard this issue of the stalking law; in fact, I took an unusual position in front of the federal committee in order to ensure that some of the concerns we had about its applicability and our ability to prosecute were indeed changed. The member is quite right. We regard this very seriously.

The full direction, as with the firearms direction, has not yet been formalized. There is a letter that is also in the crown manual, under the stalking section, which was issued to crown attorneys as this law came into effect, telling them what to look for. We don't issue the formal directive until we see how the law is actually working, what the case law is and what the burden of proof that is being accepted by the court on this is.

One of the issues, for example, is, how is the court going to interpret the requirement that this will be knowingly?

We don't know that at this point in time and so we are going through the process, looking at the cases that have been brought forward to formalize the final direction. But the interim direction makes it very clear, I think, and the member is quite right, that indeed this is not a law that pertains only to people who have been in relationships. It may be that those cases will be more prevalent than others, but not necessarily. We all know about the Anne

Murray case, for example, or the David Letterman case.

The Speaker: Could the minister please conclude her response.

Hon Mrs Boyd: It is intended to deal with far more than that. I can assure the member that as we develop those processes we are doing that in consultation with the victim advocates in this community, and they agree with us that we need to be giving very strong direction to the crowns. We consider it very serious that it not be bargained away, if indeed the burden of proof can be met.

1420

Mr Elston: It's really interesting that we get this after the fact that one of her own crown attorneys has said—and this is a paraphrase from what was told to one of our research individuals—that this is not to apply to situations where there is not a boyfriend or a former husband who is harassing the individual. I hope that there will be an immediate directive from you, by your hand, which clarifies that.

We spent some time in issuing our paper on safe communities in which we have said quite clearly that a number of steps have to be taken to secure the wellbeing of women in our society. It actually falls in line, in my view, with our paper to have the directive which says all women are to be protected under that situation, not just former spouses, not just former girlfriends from boyfriends and things like that and that to make a safe community, all have to be protected.

Would the minister agree with our paper, Safe Communities, that those steps must now be taken and that she can take a very quick step by ensuring that crown attorneys do not plea-bargain away, through resolution discussions, the safety and security of women who have been harassed and who have been targeted by stalkers in this society of ours?

Hon Mrs Boyd: I have already told the member that that is the intention of both our policy and the Solicitor General. We have both issued instructions around the stalking law that do not accord with what he hears a Liberal researcher heard from a crown attorney.

If the member would like to tell me who that crown attorney is, I would be very happy to ensure that the misinformation is cleared up, because that is not the information that our crown attorneys indeed have, and it is not the instruction that the police have in terms of the Solicitor General's directive. We take this very seriously.

I will not say to the member that I necessarily agree entirely with his prop, his Safe Communities paper, because in fact I have not read through that particular piece of this in great detail because, as I read through it, it did not seem to me to be anything new. In fact, it seemed to me to be exactly what we have been doing and what we have been saying in this House we have been doing all along.

AIR QUALITY

Mr Steven Offer (Mississauga North): I have a question to the Premier.

You will note today that Pollution Probe and the Lung Association released a report which documents the complete inaction of your government concerning the

serious problem of urban air pollution. The report states that southern Ontario has the worst chronic smog problem in Canada. According to the Lung Association, children playing outside, people with chronic lung diseases and those who happen to exercise vigorously out of doors are exposed to a very high level of risk as a result of poor air quality conditions in the summertime in urban areas throughout the province.

Pollution Probe, in conjunction with the Lung Association, has identified a number of actions which your government could do in order to reduce the amount of air pollution being generated and thus reduce the risk of health problems in our province's urban centres, but your record is, in a word, described as "inaction." You have not lived up to the commitments made by your government with other provincial governments to combat air pollution throughout the country.

My question is: What in fact is your government doing to address the serious problem of smog and health problems that are associated with it?

Hon Bob Rae (Premier): I naturally am sorry that the minister's not here to answer your question, because that's what ministers are for and because he has a much better idea of exactly the detailed interventions that are under way at the ministerial level.

I would say to the honourable member that I obviously look forward to reading the report from Pollution Probe. With respect to the interventions that the minister has made and proposals that have been forthcoming from the ministry, we are very determined to take action on the subject of CFCs, on the subject of the quality of the ozone with respect to reducing SO₂ emissions, to dealing with the car emission question and to working with our fellow governments in meeting those standards.

I would say to the honourable member that if he would like a more detailed reply, I'm sure he can get one from the minister and I'll make sure that he gets it.

Mr Offer: By way of supplementary, I believe this is a question that must be posed to the leader of the government and not just the Minister of Environment. Your actions in this area have really been zero. Since coming to office, your government has killed the clean air program, you have not acted on air pollution laws, you have ignored the problem of vapour emissions from gasoline and you have initiated what is referred to as a completely inadequate test program of voluntary vehicle emissions.

Mr Premier, Pollution Probe says that your voluntary program on auto emissions will not work. Your program will not get the polluting cars off the road. Your program will not stop one iota of carbon monoxide, nitrogen oxide or volatile organic compounds from going into the air. Your program will not improve Ontario's air quality. Your program will not protect Ontarians' health.

Your government made a commitment to combat air pollution in this province. You made a commitment through the Canadian Council of Ministers of the Environment. It was a serious commitment, I thought, at the time. My question is, why is your government not living up to your commitment?

Hon Mr Rae: I would take issue with the honourable member in the most polite and cheery way that I can. I don't believe that his allegation is at all true. We have been living up to our commitments. The minister has been living up to his commitments. The emissions program which we're bringing forward we think is going to lead to a good, province-wide program with respect to vehicle emissions and we think it's the wise and sound way to go in terms of devising a good program for the whole province.

I would say to the honourable member that again, when we look at this issue over time, it is something on which we're making steady progress as a province, in which air quality is improving, in which our standards are increasing and in which any objective assessment of the facts would I think reach the same conclusion.

Mr Offer: My allegations, which you referred to as being untrue, are founded on your record, and your record is abysmal in this area, Mr Premier. Your government has had its knuckles rapped today by Pollution Probe and the Lung Association. You are not living up to the commitment made by the Canadian Council of Ministers of the Environment in 1982 and a commitment by your government, and you are not living up to the commitment which you made in 1990. You are not overhauling air pollution laws. You are not doing anything on gasoline vapour recovery. You are not doing anything to set higher tailpipe standards. You are not doing anything to lower gasoline volatility and toxicity. You have not implemented a mandatory vehicle emissions testing program. Your actions in the area of the environment are chaotic, they're incompetent and they're irresponsible.

My question is, with all due respect, just what is your government doing in this area?

Hon Mr Rae: Mr Speaker, I don't think the member's rhetoric—

Interjections.

Hon Mr Rae: I don't know what impact it's having on the immediate air quality around the honourable member, but I would say that in terms of adding to a substantive discussion, I don't think it helps.

I would say to the honourable member that if you look at the actions we've taken over time, I think they are effective. I think that our environmental record, when compared with that of any other government in the history of this province or with any other government in the country, will compare very, very favourably, and I think that record, which is growing all the time and which is being improved upon all the time, is going to stand us in very good stead.

1430

SPOUSAL BENEFITS LEGISLATION

Mr Ernie L. Eves (Parry Sound): My question is to the Chair of Management Board and the government House leader. This afternoon we will begin debate on Bill 167 in this Legislature, which changes the definition of "spouse." Members of our caucus do not support this bill. It has been widely reported in the media this morning that you plan significant amendments to this legislation.

I think that you owe it to the members of the Legislature, who have been unclear as to where they stand on Bill 167 and this issue, that if you do intend to significantly amend this bill you should be telling us today: What is your position?

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): I thank the House leader for the third party for his question. I'm not sure that the government either plans its amendments in stories in the media or decides the content of its amendments based on media stories.

The debate is starting today around a piece of legislation that we introduced a week and a half ago. We're prepared to listen during that debate and during hearings that are likely to ensue around this piece of legislation, around this very sensitive issue.

We have not sat down and prepared in advance amendments to this legislation. From that perspective, we are not prepared to deal with the issue of tabling amendments at this point, but we're certainly prepared to listen during the course of the debate.

Mr Eves: The minister assumes, by talking about public hearings, that Bill 167 is going to be carried on second reading vote. That is certainly not a given, I would suggest to him.

I would also point out to him that his Attorney General was musing in the media this morning about the fact that this legislation may well be significantly amended. Can I take it from the House leader's remarks here today that the government has no intention to significantly amend Bill 167 and that you will be proceeding with the bill as printed, to be debated in the Legislature this afternoon?

Hon Mr Charlton: The debate this afternoon will proceed on the bill as printed. As I've said, and I repeat—I think it's as plain as I can make it—we're prepared to listen throughout the debate. The bill that has been tabled is the bill that the government intends to proceed with at this point.

Mr Eves: If you are bent on proceeding with Bill 167, which is a bill, I might add, that significantly changes some of the fundamental principles of society, then it's our belief that each and every member of this Legislature, all 130 of us, should be given the opportunity to be here to vote on this significant piece of legislation. There should be no room or excuse for any member of this Legislature not to be here to record his or her vote on this very significant issue.

Would you not agree then that we can agree among ourselves here that this vote will be held next Monday so every single member of the Legislature will know that they are to be here to express their point of view and their opinion and to vote on this legislation?

Hon Mr Charlton: As the House leader for the third party knows, and knows well, the whip of each of the caucuses does his or her work with respect to the attendance of members at votes. The government House leaders try as best we can to discuss the scheduling of votes when they're most appropriate. Sometimes we can reach agreement; sometimes we can't.

I will do my best during the course of this debate to

accommodate all who wish to participate in it.

LONG-TERM CARE

Mr Cameron Jackson (Burlington South): My question is to the Minister of Health. Since June is Seniors' Month in the province of Ontario and since the minister has responsibilities for long-term care reform, I'd like to ask the minister a couple of questions about her priorities, not only within her ministry but for her government, when approximately 1.2 million Ontario seniors over the age of 65 have been patiently waiting in this province for over nine years for the completion of long-term care reform.

Many have been writing me, as well as members of my caucus, questioning the government's sense of priorities. As my colleague raised in a question earlier, the whole notion of same-sex benefits seems to be more important a priority for the government at this time than to address this nine-year commitment that the Liberal government attempted to implement over five years and didn't, and now three and a half years of the current NDP government.

My question, Minister, is, could you please inform the House exactly how much new money was earmarked by the Treasurer to you in the recent budget for the implementation of the multiservice agencies that are required as the final phase of long-term care reform in Ontario? How much new money was earmarked in the recent provincial budget?

Hon Ruth Grier (Minister of Health): I am searching for the money, for the actual amount, which I don't have at my fingertips, but I can say to the member that in this year's actual budget, the increase in expenditures on long-term care was 5.3%. I will find the figures, but that's a very major increase.

Mr Jackson: During the lockup we were advised that the 5% is there, but it is not inclusive of the new moneys that are required to implement the long-term care reform aspects involved in these multiservice agencies, in other words, the bureaucratic network of coordinated agencies for this province.

The fact is that in October 1991 Bob Rae's government took \$75 million away from chronic care hospitals to finance the front-end phase of long-term care reform. In the spring of 1993 the same Bob Rae government increased user fees for seniors in nursing homes by \$150 million. That's where they got most of the \$647 million that they've announced as new money they would bring into the system.

My question, Minister, is, why did you, in September 1993, in your speech to the annual meeting of the Ontario Coalition of Senior Citizens' Organizations, reassure them that you were on track for the time lines, that you were on track with the money commitment and the completion of long-term care, yet I have in my possession, as do seniors' organizations in Ontario, a letter from you dated May 17, where you now indicate that you are approaching this whole issue of multiservice agencies with interim and transitional strategies and you will not make the time-line commitments that you promised seniors in this province last year?

Hon Mrs Grier: The member couldn't be more wrong. After four years of his government, five years of the Liberal government, 10 years of talking about long-term care reform, it's on its way. It's happening. It's happening all across this province in a way that is unprecedented.

We currently spend \$2.1 billion for long-term care services. In the next two years \$199 million will be invested in the expansion of long-term care community-based services. The integrated homemaker program has been expanded last year from 20 to 38 areas. New placement coordination services expanded from 23 across the province to 36 across the province. They will all be up and running on July 1 this year.

A new levels-of-care funding methodology is in place for facilities. Just today I informed municipal homes for the aged and those others that had been red-circled that this red circling would continue to the end of this fiscal year. There are discussions with aboriginal communities. There is enormous progress.

The multiservice agencies and the work the district health councils are doing across this province involve in some areas, in Simcoe, his own member's area, 400 volunteers; in Niagara, where I was on Friday, 300 volunteers.

The Speaker (Hon David Warner): Could the minister conclude her response, please.

Hon Mrs Grier: It is moving, Mr Speaker.
1440

Mr Jackson: Minister, nobody's challenging that you've been spending millions of dollars studying this issue nine ways sideways.

Interjection.

Mr Jackson: I didn't say the government was wrong. I would like to indicate to you who is saying the government's approach is wrong. I've got a letter from Tony Fusco, who is the chair of the long-term care steering committee of the Metropolitan Toronto District Health Council. In his letter of resignation, he says to you:

"I have for some months been plagued with the moral and ethical implications of assisting to implement a provincial government policy which I am now convinced is not at all responsive to the situation and smacks of the double veneer of political and ministerial staff for the self-preservation of a civil worker caste system."

You're building a bureaucracy as the seniors are asking you for services.

I'll tell you who else says you're wrong, Minister. The Toronto Star in its editorial on April 4 says that the government, in its lackadaisical approach, is stalling that reform and our seniors deserve better. The minister is saying that the Toronto Star is wrong.

The Speaker: Could the member place a question, please.

Mr Jackson: Finally, perhaps the most compelling letter of all comes from Jane Leitch, the chair of the Senior Citizens' Consumer Alliance for Long-Term Care Reform in Ontario, on April 28. She says:

"The results of your approach and your delay is that

one million Ontario seniors and their families will face extreme hardships, with only the wealthy being able to afford adequate care in their later years."

The Speaker: Would the member please place a question.

Mr Jackson: "If the system is not restructured in time, our system will collapse."

Minister, tell me why you think Jane Leitch and 1.2 million seniors, the Toronto Star editorial board and Tony Fusco are so wrong about your approach.

Hon Mrs Grier: Because, in talking and in meeting with district health councils, with long-term care committees, with agencies and with seniors all across this province, I know that the approach our government is taking responds to a major consultation that occurred and meets the needs of seniors.

I'm glad of the member's interest. I hope that when we introduce legislation to put in place the community-based, volunteer, community-led approach to the integration and coordination and one-stop shopping for seniors across this province which seniors have asked for, have pleaded for, for many years, the member will be standing up, saying, "Hurrah, that's what you ought to do," because that's what the seniors of this province will be saying.

TVONTARIO HEADQUARTERS

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Culture, Tourism and Recreation, and it's to pursue the TVOntario issue. I heard yesterday that it's possible that TVOntario, which is a well-known agency of the Ontario government, might actually build itself a brand-new building.

The minister will know that the debt of the province has gone to \$90 billion, more than double what it was when you came into office. The credit rating agencies have now downgraded the province three times. We're at the edge now of a very serious debt problem. Yet all of the money markets and all of the people in this community can only look on with amazement when we see in Metropolitan Toronto one out of every five office spaces is vacant and the government is actually contemplating building a brand-new building to house TVOntario.

My question is this: Will you not simply say to TVOntario that this is out of the question and instruct them to investigate using existing available space and tell them not to build a new building in Metropolitan Toronto, Minister?

Hon Anne Swarbrick (Minister of Culture, Tourism and Recreation): As I indicated yesterday, under both of the past governments, TVO has continued to be expected to operate in a very poor building which both of the past governments have continued to allow them to pay very high rent for. With their lease coming to an end, they've extended the lease to be able to allow themselves to look for new facilities in terms of a good broadcast facility with the instructions from this government that any move that they make must mean that their rent will be no more than it is now, and less if at all possible.

No government in this province has got the tremendous record of creativity for expenditure reduction that this government has, and we intend to continue with those

kinds of practices in the best interests of the taxpayers of this province.

Mr Phillips: That's an unsatisfactory answer, because what you said there is that the only criterion given them is that they must end up with cheaper costs than they're currently paying. That's a given. Anybody who's ever moved in Metropolitan Toronto in the last three years has ended up paying less money. That's a given.

My question is this: We have gotten literally dozens of calls from organizations that own buildings in Metropolitan Toronto where they are having difficulty paying their taxes. Their vacancy rates are huge. One out of five office buildings in this Metropolitan Toronto area is vacant. They cannot believe that TVOntario is actually looking at going out and borrowing money, building a new building—

Hon Bob Rae (Premier): They're not.

Mr Phillips: The Premier is saying they're not, so all I need from the minister is this: Will you give two guarantees? One is that TVOntario will not go out and build a new building. The second is that there will be a public opportunity for existing owners of buildings to bid on the TVOntario space and that the whole process will be public so that people who own buildings in Metropolitan Toronto can be assured that their bid was fairly considered. Those two questions: Rule out building a new building, and ensure that this is a public tendered process open to the public.

Hon Ms Swarbrick: TVO has been following a very public tendered process with a number of developers. It's that process of good faith which they've been acting in that I'm hesitant to get involved and interfering with other than to say that it is very clear to TVO, and I have made it very clear to TVO, that the glut in the real estate market that exists right now is clearly a factor that this government would be taking into consideration in any decision we make with regard to a new location for them.

INTERNATIONAL TRADE

Mr Norman W. Sterling (Carleton): My question is to the Premier about his trip to China recently. It was five years ago this week, Mr Premier, that Chinese tanks rolled into Tiananmen Square, killing hundreds of university students who were demonstrating against dictatorship. At that time, Mr Premier, you joined many political leaders from around the world in expressing your outrage. Can you explain to the public of Ontario why you now appear to be backing down from your convictions to deal firmly with the government of China on human rights issues?

Hon Bob Rae (Premier): I'm glad the honourable member asked the question, because I think it's important that we address this together as a House. I'm certainly glad to answer the member very clearly.

This government has expressed on every official occasion—and the minister for international trade is not here but would say to him that we have expressed on every official occasion in which we have had any official meetings with senior ministers from the government of China—our continuing concern as a province with respect to the human rights situation.

Mr Tim Murphy (St George-St David): Put your money where your mouth is.

Hon Mr Rae: Now I have members opposite from the Liberal Party saying, "Put your money where your mouth is." Well, I want the members from the Liberal Party to reflect on what they're saying, because it runs completely counter to the policies of the government of Canada and to the policies that are being followed by every provincial government.

We are all acting, if I may say so, on a concerted basis. What we are saying is that the best way to effect human rights reforms in China is for us to be engaged in China, for us to be continuing our exchanges with China, and specifically for us to be involved in terms of the Jiangsu exchange, for us to be involved at every level.

I believe that a more open China with respect to the economy will produce a more open China with respect to political and human rights on a broad front. I believe that those in China who are seeking reform, those in China who are seeking change, those in China who are trying to open up look to Canada and in fact look to our own province to provide for that kind of leadership. So I would say to the honourable member—

The Speaker (Hon David Warner): Could the Premier please conclude his response.

Hon Mr Rae: —that we are acting entirely consistently with our approach on human rights, that we are acting entirely consistently with our approach to openness with respect to China, and that expanding trade with China, and expanding trade at this time, is exactly the right thing to be doing in terms of human rights in that part of the world.

1450

Mr Sterling: Mr Premier, you were quoted in a Toronto newspaper as saying the key for Canadians is to get their act together and be more aggressive if they are to win contracts and trade in China. We have a demonstration by President Clinton in the United States and our Prime Minister, Jean Chrétien, who is taking the same tack with regard to trade.

I think the people of Ontario and the people of Canada are asking: Where are the leaders in the western world who are going to speak up for the thousands of political prisoners in the jails of China? Do we have any leadership in the western world speaking for these people in a firm way?

Hon Mr Rae: Again, I would say to the honourable member that if it's now the position of the Conservative Party of this province that we should not be advancing our economic interests in China, and if that's now the position of the Liberal Party in the province of Ontario, I hope they will express that publicly. If they're saying they would not advocate any exchanges between Ontario and China because of the human rights situation there, I want the Conservative Party to say that on the record, because I think that's a truly reactionary policy.

I would say to the honourable member that it is entirely consistent with the best traditions of this province—

Mr Chris Stockwell (Etobicoke West): This is paper

politics, Bob. It was your policy when you were—

The Speaker: The member for Etobicoke West is out of order.

Hon Mr Rae: —for us to be open, for us to be advanced. This in fact is a position that's even being advocated by people within the Chinese community in this province. In my meetings with the Chinese community in this province which I've been having over the last year and a half, they've been saying to me, "Premier, you've got to have the human exchanges, you've got to be there and you've got to raise these questions," and that's exactly what we've been doing.

The suggestion that somehow—

Mr Stockwell: This is not what you said—

The Speaker: Order. The member for Etobicoke West is out of order.

Hon Mr Rae: —if we build a wall up around this province, we will advance the cause of human rights one single inch in China or in any other country in which people are facing human rights difficulty—

The Speaker: Could the Premier please conclude his response.

Hon Mr Rae: I would say to the honourable member that is a truly reactionary and short-sighted position and one that is inconsistent with the best democratic and open traditions of the people of this province.

ECONOMIC DEVELOPMENT

Mr Gary Wilson (Kingston and The Islands): My question is for the Minister of Economic Development and Trade. Minister, I'm aware of our government's industrial strategy and its sectoral approach to economic development. Many people would have read in the newspapers recently—

Interjections.

The Speaker: Order.

Mr Gary Wilson: —about an announcement regarding the plastics sector. Given that Du Pont is in my community and indeed is a major company in eastern Ontario and that it is involved in the plastics industry, could you tell me how this announcement will benefit a company like Du Pont?

Hon Frances Lankin (Minister of Economic Development and Trade): The sectoral development approach is one that looks at a sector as a whole; it doesn't deal with individual firms. But I firmly believe that any activities we take that strengthen sectors of our economy and the performance and the competitiveness of those sectors certainly benefits individual firms like Du Pont and others.

The announcement that was made was a joint business-labour-government announcement in which we received the advisory committee's sectoral strategy and announced our endorsement of the strategy as it was set out in the broadest way and our commitment to work with them to develop the specific initiatives that have been set out in there.

This is an important industry, and Du Pont of course is an important player in the industry. There are over 60,000 workers across Ontario in this sector and it's a

\$13-billion sector. But we recognize in the work that we've done in the sectoral strategy with them that there is a trade deficit with international jurisdictions with the plastics sector. So we've set together goals to try and overcome that to improve the competitiveness and enhance the performance of that sector.

As I said earlier, I think that overall any initiative in that vein will only strengthen individual firms within the sector, and it's through that benefit that Du Pont and others will see, I think, some increased benefits as a result of this activity.

Mr Gary Wilson: Minister, I know how successful this strategy has been in other sectors of the economy, and I'm wondering when the strategy will be implemented in the plastics sector.

Hon Ms Lankin: The sector strategy set out the results of the work that was done, in which there was a very comprehensive analysis done of the status of the sector, looking at its strengths, at its weaknesses, at the opportunities and developing an action plan for implementation that would address those weaknesses and build upon the strengths, looking at areas of international capability, technological capability, raising skill levels of the workforce, clustering of firms, pre-competitive cooperative R and D, a number of areas.

The strategy sets out suggestions for specific initiatives, and we will be working over the next few short months with the sector to develop the business plans to bring those forward for approval for funding under the sector partnership plan. I can't give you a date that it will be ready to roll—in two months or three months—but I expect within that time frame we will have approvals under way and be able to make further announcements with respect to specific initiatives.

EMPLOYMENT EQUITY

Mr Alvin Curling (Scarborough North): My question is to the minister responsible for employment equity. Recently, it was discovered that the minister responsible for employment equity approved and endorsed the process of hiring Paul Scott, the chief executive and chief administrative officer of the Employment Equity Commission. He was hired to set up the plan to see that systemic discrimination in regard to employment be eliminated.

In this particular case, it seems, the commission violated all the rules to encourage equal access to employment. Will the minister please explain to the House what procedure was followed in hiring for this top position of the Employment Equity Commission and whether or not it was advertised; if so, the number of candidates considered, and if this is not the case, explain why the commission's top positions are not under the same scrutiny that the commission demands of the private sector?

The Speaker (Hon David Warner): The Minister of Citizenship.

Hon Elaine Ziemba (Minister of Citizenship): Thank you very much, Mr Speaker, and I would also actually thank the member opposite for the question because I think there's been a lot of misinformation out

there and it's a good opportunity for us to explain what has occurred.

First of all, I think that all the members opposite and we all know that there has been a process for many years of no political interference in hiring and firing and promoting of the OPS. I think we would all agree that those days of political interference in the OPS are well gone and that we would not want those days to recur. So the hiring of civil servants is not in the domain of the minister; it's in the domain of the deputy minister, as well it should be.

There was a process in place. The position that was filled is a temporary position. Although I'm not involved in the hiring and firing, I have been asked if there were people who applied, and yes, there were. There was an open process that is usually used by the OPS for temporary positions and that was followed.

Mr Curling: You can see that the system is a farce in how it goes about its employment equity situation. The minister now is telling me that she can't interfere and that she can't do that and that the minister is at arm's length.

It has come to my attention that this under-the-table hiring, which is what I call it, is not an isolated case. I understand that many others were put into their positions under similar circumstances. Of course, if you talk about a temporary thing for 18 months, who has the experience? Where is that access circumventing the process?

Will the minister explain to the House now how a three-member executive development committee, which you are saying, "No interference in the political process," headed by none other than David Agnew, has the authority to abuse the principles of employment equity by closing the doors to potential applicants for positions within the commission? It seems to me that it happens in other ministries too. I'd ask you to examine all the other ministries that are doing that same circumvention, and many people who have been pushed out of jobs in the way that you're talking about non-involvement of political process.

Hon Ms Ziemba: First of all, I want to reiterate very clearly that ministers are not involved in the hiring and firing of the OPS. They might have been under your government, but they're not under this government and should not be. I think we all agree with that.

What I really want to be clear about is that employment equity is about removing barriers, is about being inclusive, is about making sure that everybody has an equal opportunity, and then, at the end of the day, the person who has the qualifications for the position is hired.

I cannot resist this. Mr Speaker, I want to say this without rancour and I don't want you to think that I'm trying to bait the bears, but it is with great irony that I look across the floor, and somebody who is trying to say that he is purporting to be in favour of employment equity voted against employment equity all three times. What does he want? Does he want employment equity and fairness in the workplace or does he want to have the status quo? Make up your mind. Don't start defending it now because you lost your opportunity.

Interjections.

The Speaker (Hon David Warner): Order.
1500

NATIVE LAND DISPUTE

Mr Ernie L. Eves (Parry Sound): I have a question for the Minister of Municipal Affairs. As you are aware, Mr Minister, the Skerryvore development road, which runs through the Shawanaga First Nation, has been closed as of 12:01 am this morning. What are you doing to ensure that residents and ratepayers in the Skerryvore development have continued road access to the residences?

Hon Ed Philip (Minister of Municipal Affairs): I appreciate the question. As the member knows, my staff have given him copies of all correspondence we've had involving this matter and have given him a complete, up-to-date briefing on everything that's happened. I appreciate the fact that he wants to cooperate and try and find a solution to this problem.

As he knows, as a result of the decision of the courts, it was decided that this was private property and obviously that the band had the right legally to close the road on what amounts to its private property. At the same time, we have been in regular contact with Chief Pamajewon and Reeve Stewart and they have both acted in a very low-key and, I would say, non-inflammatory way in the hope that we can reach some consensus.

I am pleased that the band has said that it in no way wants to punish or create hardship for the some 240 cottagers, of whom about 30 are full-time residents. Our staff are in touch with the band. We have said that we are willing to sit down with the band at any time. The chief, if he is watching, has my assurance that we are willing to sit down and negotiate a reasonable solution to this problem.

Mr Eves: I understand that this is a difficult problem, but I also understand that we have residents and ratepayers who no longer can get to their residences. One week ago I asked the Premier and the ministers of Transportation, Municipal Affairs and native affairs to meet with myself, the Shawanaga First Nation, the township of the Archipelego and representatives of the Skerryvore ratepayers in order to try to avoid this unfortunate situation. To date, there has been no such meeting. To date, your negotiations with the first nation have failed.

Would it not make sense, Mr Minister, to have everybody concerned with an interest in this matter involved at the same table at the same time, and would it also not make sense to assure the Skerryvore residents that another road will be built around native lands to assure permanent access to their homes and cottages?

Hon Mr Philip: The member realizes, and indeed I spoke to him on Friday, that at the time in which he proposed such a meeting I explained to him, as did my staff, that we thought that if a meeting of all of the people together was to be productive, we would first have to do a one-on-one preparation for that meeting. At that time, the honourable member said to me that he agreed with—

Mr Eves: That was done Saturday morning.

Hon Mr Philip: Well, I'm sorry; if the member wants an answer, then he's going to have to stop yelling over me. I'm trying to answer him. I hope that we can have the same kind of conversation here that we had on the phone, because I thought we had a reasonable conversation by phone and indeed earlier today when I briefed him. Maybe the question isn't necessary. We get along better outside the House than in the House.

I do want to say that we are working with them. We are willing to look at any possible solution, and I trust that we will have a reasonable solution as soon as possible. I don't have to tell the band that it is possible to build another route on township property. I think the Minister of Transportation has already indicated that. But I would prefer that this not be necessary and that's why I say to all parties that our door is open. We are willing to sit down. We will be there immediately the moment they give us an indication that they're willing to talk.

SCARBOROUGH BLUFFS CONSERVATION

Mr Robert Frankford (Scarborough East): My question is for the Minister of Natural Resources. The erosion of the Scarborough Bluffs, a distinctive asset of the shoreline, has been accelerating, particularly in the Sylvan Avenue area of my riding. This places in jeopardy an important component of the Lake Ontario waterfront that would be enjoyed by future generations.

Minister, I recently received a letter from you which outlined that the work in the area was considered high priority. My question is, what action is being taken to secure funding for the Sylvan Avenue project for 1994?

Hon Howard Hampton (Minister of Natural Resources): I thank the member for the question and I know that for the constituency he represents this is an important issue.

The Ministry of Natural Resources has committed \$25,000 to the Metropolitan Toronto and Region Conservation Authority for themselves and their consultants to undertake an environmental study report. I understand that report has been completed and that the authority has provided some additional engineering information which brings us up to date in terms of the chronology of events on the bluffs. So this has improved the ranking of the project, and I would expect that some time later on this spring or summer we will be in a position to announce some funding for the project.

Mr Frankford: Minister, does this mean that I can assure my constituents that funding will be secured for 1994 and that work will be starting this summer?

Hon Mr Hampton: Once you're involved with the environmental assessment process, there are a number of issues that have to be taken into account. There is a 45-day waiting period that must be satisfied after a report has been submitted. So that will take some time. If there is no objection and no request for a full-blown environmental assessment, approval could be obtained, as I understand it, by June 24 of this year.

I understand that the design of the project may have to change to take into account some of the shoreline processes and to allow for enhanced aquatic and terrestrial

habitat, but I think that can be worked out.

Our view is that we should be able to provide some funding. We're encouraging the conservation authorities to also pursue the Canada-Ontario infrastructure works program through municipalities, as that may also assist with some of the funding.

ASSISTANCE TO FARMERS

Mrs Joan M. Fawcett (Northumberland): My question is for the Minister of Agriculture, Food and Rural Affairs. Minister, Ontario farmers are continuing to face a difficult financial environment. In the face of continuing low prices and rising interest rates, the NDP has made further deep cuts to the Agriculture budget. The minister has said he is helping farmers in non-financial ways, but does he not agree that farmers are still facing a tough financial situation and need your help?

Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs): This government has done a lot for farmers. We've done it in different ways, in ways that are much more effective and actually assist agriculture and rural economies.

I'll give you an example. Under the Liberal administration interest rates rose, and the Liberal government decided to use interest rate assistance programs. For several years they handed out \$40 million, \$50 million in interest assistance. That money went directly from the farmer's mailbox to the banker's hands. None of that money was available for the use of farmers or assistance in order to allow farmers to continue, and we had a number of farm bankruptcies.

Under our programs or new initiatives, we've worked with financial institutions to provide alternative mechanisms for finance through the rural loan pool. FarmPlus, for example, and the feeder finance program that is available are programs that provide farmers with competitive interest rates. We use existing institutions to provide that capital and those resources for farmers to continue farming.

1510

Mrs Fawcett: Minister, it is very interesting that you really didn't answer the question. You continue to talk about other programs, but what programs have you cut? That is quite a long list.

Another concern is one Ontario Hydro has revealed, that one of the international investments it is considering is for a non-governmental-organization sustainable agriculture project in South America.

At a time when the province is cutting assistance for Ontario agriculture, and I believe it was at least \$34 million, and is concentrating instead on agriculture labour legislation, the average Ontario farmer feels their businesses are less and less sustainable every day.

The minister knows that one of the farmers' major monthly operating costs is their hydro bill. I can imagine how Ontario farmers feel when they send in their monthly payment for their hydro bill and then see Hydro contemplating spending their money to make farming in South America sustainable.

The Speaker (Hon David Warner): Would the member please place a question, please.

Mrs Fawcett: At a time when the government is slashing funding to our own agriculture industry, does the Minister of Agriculture, Food and Rural Affairs feel that this South American agriculture funding is a good investment of Ontario Hydro's limited resources?

Will the minister, using his incredible Rural Affairs powers, encourage Hydro to keep agriculture sustainable here in Ontario? Minister, will you please talk to the Minister of Environment and Energy?

Hon Mr Buchanan: The member talks about the reductions in the Agriculture, Food and Rural Affairs budget. When the member was part of the last administration, if its agriculture policy had included setting up long-term programs as opposed to setting up two- and three-year programs which actually ran out last year, most of that \$34 million would not have come off our budget.

There were a number of programs—red meat, land stewardship programs—set up as short-term projects which ran out this year. They weren't long-term programs that go on and on, which is what farmers need and what we put in place.

The kinds of things we've supported and put in place obviously are supporting the ethanol industry. The member and her party would do well to talk to her cousins in Ottawa about the importance of ethanol, how important it is to rural communities, how important it is to farmers. This government has supported the ethanol industry through direct moneys and through speaking out on behalf of the farmers.

The other thing, in terms of Ontario Hydro, is that I was one cabinet minister, along with my colleagues, who talked to the Minister of Energy who said, "Look, hydro rates have got to stop going up." We talked to the Minister of Energy and he went to Hydro and acted on it. We have a freeze in place, and the farmers appreciate that.

DEVELOPMENTALLY DISABLED

Mrs Margaret Marland (Mississauga South): My question is to the Minister of Community and Social Services.

I have a particular frustration with this minister. He does not either acknowledge or respond to correspondence. I have at this time a letter that is outstanding more than six months, without even an acknowledgement, let alone a reply. I don't think any minister has a right to ignore another member's correspondence to that degree.

This particular correspondence to the Minister of Community and Social Services deals with the needs of people of this province with developmental disabilities.

This minister knows as well as I do that over 5,000 people came to the front steps of this building to try to convince this government that it had an obligation to maintain the funding for programs for those people with those very special needs.

Last December in this House my private member's resolution was supported by a very strong majority to ask this government to look at meeting a commitment for these people with special needs, this very government that always has said it cares for the vulnerable people in our society.

I would like to ask this minister today if he has any intention of responding to my correspondence, which is written on behalf of thousands of people in this province. Does he agree that this government has cut \$21 million, according to your own estimates, from the programs for people with developmental disabilities, who need our support in this province before we spend a single penny on any other person? People with special needs must be the top priority.

Hon Tony Silipo (Minister of Community and Social Services): The member and I have talked privately about some of these issues, and I want to tell her first of all that I'm not quite sure, and I'm just trying to understand, what the problem has been with the particular piece of correspondence, because I know there has been a problem around that.

I also know that the member asked me a question in this House several months ago on this very same issue, and I was able to give her the answers at that time to the question she asked, specifically relating to the private member's resolution that she refers to.

Let me just say on the substance of the issue that she's quite wrong when she says we've reduced funding in this area by \$21 million. In fact, we added \$21 million last year to the funding for the whole array of developmental services. I can tell the member that as we look at our budget for this year we will be adding further expenditures in this area, and I'll be happy to outline that in the weeks to come.

PETITIONS

KETTLE ISLAND BRIDGE

Mr Gilles E. Morin (Carleton East): I have a petition coming from Manor Park constituents. It's addressed to the Parliament of Ontario:

"Whereas the government of Ontario has representation on JACPAT, (Joint Administrative Committee on Planning and Transportation for the National Capital Region); and

"Whereas JACPAT has received a consultants' report recommending a new bridge across the Ottawa River at Kettle Island which would link up to Highway 417, a provincial highway; and

"Whereas the city and regional councils of Ottawa, representing the wishes of citizens in the Ottawa region, have passed motions rejecting any new bridge within the city of Ottawa because such a bridge and its access roads would provide no benefits to Ottawa but would instead destroy existing neighbourhoods;

"We, the undersigned, petition the Parliament of Ontario as follows:

"To reject the designation of a new bridge corridor at Kettle Island and/or at any other location within the city of Ottawa core."

I affix my signature to this petition.

LANDFILL

Mr David Tilson (Dufferin-Peel): I have a petition of 48 signatures addressed to the Legislative Assembly of Ontario:

"Whereas the recent announcement by the NDP

government to choose three superdumps within the greater Toronto area has disturbed and upset local residents; and

"Whereas these superdumps might have been prevented if Bill 143 had allowed the Interim Waste Authority to look at all alternatives during the site selection process; and

"Whereas we would like to ensure the province of Ontario is making the best decision based on all the facts regarding incineration and long rail-haul and garbage management;

"We demand that the NDP government of Ontario repeal Bill 143, disband the IWA and place a moratorium on the process of finding a landfill to serve all of the greater Toronto area until all alternatives can be properly studied and debated."

I have signed this petition.

SEXUAL ORIENTATION

Mrs Ellen MacKinnon (Lambton): A petition to the honourable House of Commons of Canada in Parliament assembled:

"We, the undersigned citizens of Canada, draw the attention of the House to the following:

"Whereas a majority of Canadians believe that the privileges which society accords to heterosexual couples should not be extended to same-sex relationships"—I don't write them—"and

"Whereas societal approval, including the extension of societal privileges, would be given to same-sex relationships if any amendment to the Canadian Human Rights Act were to include the undefined phrase 'sexual orientation' as a grounds of discrimination;

"Therefore, your petitioners pray and request that Parliament not amend the Human Rights Code, the Canadian Human Rights Act or the Charter of Rights and Freedoms in any way which would tend to indicate societal approval of same-sex relationships or of homosexuality, including amending the Human Rights Code to include in the prohibited grounds of discrimination the undefined phrase 'sexual orientation.'"

Mr Hugh O'Neil (Quinte): I also have a petition, which comes from the riding of Quinte, from the Belleville Community Church, and it's signed by Reverend Bill Clark, the pastor, and by many of his constituents. It's a petition to the Legislative Assembly of Ontario:

"Whereas in our opinion a majority of Ontarians believe that the privileges which society accords to married heterosexual couples should not be extended to same-sex relationships; and

"Whereas for our government to use our tax money to furnish contributions for the propagation of practices which we sincerely believe to be morally wrong would be a serious violation of our freedom of conscience; and

"Whereas redefining 'marital status' and/or 'spouse' by extending it to include gay and lesbian couples would give homosexual couples the same status as married couples, including the legal right to adopt children; and

"Whereas the term 'sexual orientation' is vague and

undefined, leaving the door open to the demands for equal treatment by persons with deviant sexual orientation other than the practice of homosexuality;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We request that the Legislature not pass into law any act to amend the Human Rights Code with respect to sexual orientation or any similar legislation that would change the present marital status for couples in Ontario."
1520

Mr Chris Hodgson (Victoria-Haliburton): I have a petition to the Legislative Assembly of Ontario signed by hundreds of residents of my constituency. It reads:

"Whereas the majority of Ontario's citizens believe that the privileges which society accords to heterosexual married couples should not be extended to same-sex relationships; and

"Whereas to redefine the fundamental institutions of marriage and family, allowing same-sex couples to adopt children, would cause an enormous negative impact in our society over the long term;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario refrain from changing provincial laws to extend spousal and family benefits to same-sex couples."

TOBACCO PACKAGING

Mrs Karen Haslam (Perth): This is a petition to the Legislative Assembly of Ontario in support of plain packaging of tobacco products.

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains the provision that the government of Ontario reserves the right to regulate the labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces, rather than act on its own, to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national plain packaging strategy the most efficient method of protecting the Canadian public;

"Therefore we, the undersigned, hereby petition the Legislative Assembly as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

I have signed my name to this petition.

SEXUAL ORIENTATION

Mr D. James Henderson (Etobicoke-Humber): I have a petition to the Legislative Assembly which reads as follows:

"We, the undersigned, as believers in the Lord Jesus Christ and citizens of Ontario, draw the attention of the Legislative Assembly to the following:

"Whereas the majority of Canadians believe that the privileges which society accords to heterosexual couples should not be extended to same-sex relationships; and

"Whereas the traditional family relationship which has been set up by God would be in jeopardy;

"Therefore, your petitioners request that Parliament not amend the Ontario Human Rights Code in any way which would indicate approval of same-sex relationships. God's laws must be respected."

That petition is signed by several dozens of my constituents and by me.

Mr Bill Murdoch (Grey-Owen Sound): I have a petition to the Legislative Assembly with some 250 names on it. It says:

"Whereas in our opinion a majority of Ontarians believe that the privileges which society accords to heterosexual couples should not be extended to same-sex relationships; and

"Whereas for our government to use our tax money to furnish contributions for the propagation of practices which we sincerely believe to be morally wrong would be a serious violation of our freedom of conscience; and

"Whereas redefining 'marital status' and/or 'spouse' by extending it to include gay and lesbian couples would give homosexual couples the same status as married couples, including the legal right to adopt children; and

"Whereas the term 'sexual orientation' is vague and undefined, leaving the door open to the demands for equal treatment by persons with deviant sexual orientation other than the practice of homosexuality;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We request that the Legislature not pass into law any act to amend the Human Rights Code with respect to sexual orientation or any similar legislation that would change the present marital status for couples in Ontario."

Mr Peter North (Elgin): I have a petition to the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas Canada was founded on Judaeo-Christian principles which recognize the importance of marriage and family;

"Whereas the redefinition of 'marital status' will extend to same-sex couples the rights and benefits of marriage;

"Whereas the redefinition will further increase the likelihood that children will learn to imitate homosexual practices;

"Whereas there is evidence that there will be negative financial, societal and medical implications and effects on

the community with any increase in homosexual practices, the redefinition of 'spouse' and 'family status' and policies concerning adoption of children by homosexuals;

"We request that the House refrain from passing any legislation that would alter or redefine marital status."

It's signed by a number of residents in Elgin county.

Ms Sharon Murdock (Sudbury): "Whereas the protection of human rights is a fundamental principle of international law and is an overriding responsibility of all governments; and

"Whereas the NDP government of Ontario has undertaken a review of Ontario's statutes based on the principle that 'all Ontario laws and programs must treat people fairly regardless of the nature of their personal relationships or their family unit'; and

"Whereas a September 1992 ruling by a board of inquiry under the Ontario Human Rights Code in the Leshner case upheld the principle of equal rights for same-sex spouses citing the Canadian Charter of Rights and Freedoms; and

"Whereas Bill 45, recently introduced as a private member's bill, serves only to confirm the status quo without addressing discriminatory language in nearly 80 other statutes and will therefore require years of further litigation to secure equality rights guaranteed under the Charter of Rights and Freedoms; and

"Whereas any further denial of these human rights in Ontario is unconscionable;

"Therefore we, the undersigned, petition the government of Ontario to immediately introduce and enact legislation amending the definitions of 'spouse' and related terms wherever they occur in Ontario statutes so that they are inclusive of same-sex partners and their families."

I hereto affix my signature.

Mr Jean Poirier (Prescott and Russell): I'm proud to present a petition in support of Bill 167.

"Whereas every day in our province lesbians and gays face legal discrimination such as not being able to see their partners in hospital, losing custody of children they have raised or paying into employment benefit plans and being barred from receiving the benefits they pay for; and

"Whereas every Ontarian deserves to be treated the same way by the law; and

"Whereas Bill 167, the Equality Rights Statute Law Amendment Act, would end state-sanctioned discrimination;

"We, the undersigned, petition the Legislature of Ontario to give swift passage to Bill 167."

This petition is from 294 people from the Ottawa-Carleton area, of which I am of one of the nine MPPs. I've signed my signature and I support this petition.

JUNIOR KINDERGARTEN

Mr Ted Arnott (Wellington): I have a petition to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the previous provincial Liberal government of David Peterson announced its intention in its budget of 1989 of requiring all school boards to provide junior

kindergarten; and

"Whereas the provincial NDP government is continuing the Liberal policy of requiring school boards in Ontario to phase in junior kindergarten; and

"Whereas the government is downloading expensive programs like junior kindergarten on to local boards while not providing boards with the funding required to undertake these programs; and

"Whereas the Wellington County Board of Education estimates that the operating cost of junior kindergarten will be at least \$4.5 million per year; and

"Whereas mandatory junior kindergarten programs will force boards to cut other important programs or raise taxes; and

"Whereas taxes in Ontario are already far too high;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that the government of Ontario cancel its policy of forcing junior kindergarten on to local school boards."

I support this petition and affix my signature to it.

SEXUAL ORIENTATION

Mr Kimble Sutherland (Oxford): I have a petition that's signed by about 75 people of my riding asking me to vote against legislation to give homosexual people the same rights as married couples.

FIREARMS SAFETY

Mr David Ramsay (Timiskaming): "To the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuously objecting to the decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and/or hunted for years; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

TOBACCO PACKAGING

Mr David Tilson (Dufferin-Peel): I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains the provision that the Lieutenant Governor of Ontario reserves the right to regulate the labelling, colouring, lettering, script, size of

writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces rather than act on its own to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national packaging strategy the most efficient method of protecting the Canadian public;

"Therefore we, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

I have signed this petition.

SEXUAL ORIENTATION

Mr Jim Wiseman (Durham West): I have a petition here addressed to the Parliament, to the House of Commons, and it takes the same bent as most of the other petitions that are presented here today in opposition to the granting of same-sex rights.

1530

REPORTS BY COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Ms Haack from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bill as amended:

Bill Pr79, An Act respecting the City of Toronto.

Your committee recommends that the following bill be not reported:

Bill Pr115, An Act respecting the County of Bruce.

The Speaker (Hon David Warner): Shall the report be received and adopted? Agreed.

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Mr Marchese from the standing committee on administration of justice presented the following report and moved its adoption:

Your committee begs to report the following bill as amended:

Bill 136, An Act to amend the Courts of Justice Act and to make related amendments to the Freedom of Information and Protection of Privacy Act and the Justices of the Peace Act / Projet de loi 136, Loi modifiant la Loi sur les tribunaux judiciaires et apportant des modifications corrélatives à la Loi sur l'accès à l'information et la protection de la vie privée et à la Loi sur les juges de paix.

The Speaker (Hon David Warner): Shall the report be received and adopted? Agreed.

Shall Bill 136 be ordered for third reading? Agreed.

INTRODUCTION OF BILLS

DONATION OF FOOD ACT, 1994

LOI DE 1994 SUR LE DON D'ALIMENTS

On motion by Mr McGuinty, the following bill was given first reading:

Bill 170, An Act respecting the Donation of Food /
Projet de loi 170, Loi concernant le don d'aliments.

Mr Dalton McGuinty (Ottawa South): My bill will relieve people who donate food to our food banks from liability in the event that, by accident alone, that food makes a food bank user sick. The purpose of the bill is to protect the supply of existing donations to food banks and to encourage further donations.

CROWN FOREST SUSTAINABILITY ACT, 1994

LOI DE 1994 SUR LA DURABILITÉ DES FORÊTS DE LA COURONNE

On motion by Mr Hampton, the following bill was given first reading:

Bill 171, An Act to revise the Crown Timber Act to provide for the sustainability of Crown Forests in Ontario /
Projet de loi 171, Loi révisant la Loi sur le bois de la Couronne en vue de prévoir la durabilité des forêts de la Couronne en Ontario.

Hon Howard Hampton (Minister of Natural Resources): Mr Speaker, in addition to my comments, I'd ask for unanimous consent that the two opposition critics be permitted perhaps two minutes simply to respond to the comments.

The Speaker (Hon David Warner): The request is certainly in order, though it is an unusual procedure. Do we have unanimous consent? Agreed.

Hon Mr Hampton: I'm introducing the Crown Forest Sustainability Act, An Act to revise the Crown Timber Act to provide for the sustainability of Crown Forests in Ontario. The purposes of this act are to provide for the sustainability of crown forests and, in accordance with that objective, to manage crown forests to meet social, economic and environmental needs of present and future generations.

I would like to thank all of the people in the Ministry of Natural Resources who worked very hard on this act. Some of them have worked night and day over the last six months: Ken Cleary; David Balsillie, the assistant deputy minister; Clarke Kirkland, who came all the way from Hearst; and Stuart Davidson, legal counsel, who drafted much of the language. I'd like to thank them for all of their hard work.

Mr Michael A. Brown (Algoma-Manitoulin): We on this side have been waiting for this act for quite a number of months, as have the people in the forest industry and people involved in many of the community groups, many of the groups concerned with our natural resources, and people in the tourist industry all through the province.

During the last, oh, five to six months there's been increasing concern that we don't know what's going on in silviculture this year; we don't know what's going on in tending. All there have been are question marks around what this government's doing.

I take you back, Madam Speaker, to recognize the huge environmental deficit left by the legacy of the Rae government. We've talked repeatedly on this side about a 30% decrease in the planting of trees in Ontario's forests. We've talked about the fact that only 50% of the tending is done here in Ontario that was done a mere four years ago. We've talked about the fact that area charges have been doubled. We've talked about the fact that stumpage fees have been increased radically already in this province.

We have an industry that is looking for answers. I understand that this should be some of the answers we're looking for, and I think we on this side are in favour of some or perhaps a lot of the particular segments of this bill. But I would tell you that we are very concerned that it looks an awful lot like a tax grab. We are very concerned that the money will not actually be put into the forests. We are very concerned that the people of northern Ontario will not have the full opportunity to discuss it, as people in southern Ontario should also have.

We believe this bill has to go out to committee. We see this bill, at least in the initial stages—and of course I have had no opportunity to review it at this point—as something that could be positive but on the other hand is so vague and so motherhood in its announcement that we don't really know what it means.

We look forward to going through this in a very clear and open process to discuss the numbers that the minister throws around, to discuss the stumpage fees that the minister throws around, to talk about the planting, the tending and the reclamation of Ontario's forests.

At this point we will suspend judgement on the minister's initiative but ask him if he could move to reassure people in the industry today what their future might be in the present circumstance rather than waiting for this minister and this government to give us the answers that will come out of this bill.

1540

Mr Chris Hodgson (Victoria-Haliburton): We on this side of the House as well agree that it's about time we had some changes to the Crown Timber Act. I think we've been waiting for a number of years for that.

We are encouraged by what was mentioned in the budget and again in this act, and that's to set up a forest renewal trust fund to ensure there will be money in future for reforestation on crown lands. That's a huge improvement and it's long overdue. I'd like to thank the ministry staff for working so hard to implement that.

As was mentioned by my colleague in the official opposition, the overall act sounds very good and is full of motherhood statements. It will be important to take a look at the details. I just received the act right now, so to get a comprehensive response I'm looking forward to the process being open and a lot of time to discuss it.

It's needed for the crown forests to be sustainable, and you've mentioned that forest communities will need to sustain forestry jobs. I'd be interested to know how many cubic feet you're projecting to come off crown land and how many cubic feet it takes in the whole industry.

We seem to be focusing on this act with the crown

land and that's great, that's an improvement, but there's more to our forestry industry in Ontario than what just comes off crown lands. You talk about hardwoods, you talk about veneers and maple and oak, and the majority of that, for international markets, comes off private lands. What's happened in the last year under this government is that it's actually taking away the management plans to make private forests sustainable in the long run. I think that needs to be looked at in conjunction with this. Also, the keep-it-wild zones have to be looked at in terms of traditional uses on these lands.

This is a very comprehensive act. It brings in a number of interest groups to manage the whole forest, not just the timber component of it. It's a welcome improvement, but I'm interested in looking at the details of how the dispute mechanisms will be sorted out.

I think whether this is successful for Ontario, the real results of this will be shown in generations down the line and in years to come, so therefore I think it's important that we take our time and set up the process so it reflects long-term planning that's good for the province, not just for today but for generations to come.

I thank the minister for bringing it out and I look forward to working with him to make it work.

ORDERS OF THE DAY

EQUALITY RIGHTS STATUTE LAW AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT DES LOIS EN CE QUI CONCERNE LES DROITS À L'ÉGALITÉ

Mrs Boyd moved second reading of the following bill:

Bill 167, An Act to amend Ontario Statutes to provide for the equal treatment of persons in spousal relationships / *Projet de loi 167, Loi modifiant des lois de l'Ontario afin de prévoir le traitement égal des personnes vivant dans une union entre conjoints.*

Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues): I'm very pleased to rise today to speak in support of my motion that this House give second reading to the Equality Rights Statute Law Amendment Act, Bill 167. This act builds on Ontario's best traditions, including our province's leadership in the development of human rights legislation and our support for the Charter of Rights and Freedoms as set out in the Constitution Act of 1982.

Ontario legislation on human rights goes back to at least 1932, when amendments were made to the Insurance Act to prohibit discrimination on the basis of race or religion. This initiative was followed by legislation in the 1940s prohibiting notices and signs which indicated an intention to discriminate. In the 1950s, we saw legislation dealing with discrimination in employment and in accommodation.

In 1962, in this province, we proclaimed our first Human Rights Code, which collected and added to the earlier human rights initiatives. Over the intervening 32 years, and most particularly in a fundamental revision in 1981, the Ontario Human Rights Code has been regularly strengthened as this House recognized the need to articulate clear public policy against discrimination. Over

all those years, grounds added to the code's protection included sex, marital status, handicap, family status and finally, in 1986, sexual orientation.

More recently, we have seen important systemic legislation in relation to pay and employment equity. Bill 167 builds on this strong tradition of human rights legislation in the province of Ontario.

Bill 167 also responds to the developing case law under our Charter of Rights and Freedoms. Ontario's highest court held in the 1992 Haig case that discrimination based on sexual orientation is prohibited by the Charter of Rights and Freedoms. This case involved the Canadian armed forces policy of denying gays and lesbians opportunities for promotion, training and other forms of career advancement. The Canadian Human Rights Act did not then, and does not in and of itself, prohibit that kind of discrimination.

But the Ontario Court of Appeal held that the equality guarantees in section 15 of the Charter of Rights and Freedoms prohibit discrimination on the basis of sexual orientation. The court also held that governments have a constitutional duty to provide human rights protection to gays and lesbians. In the words of Mr Justice Krever, prohibiting sexual orientation discrimination is part of "the enlightened evolution of human rights social and legislative policy in Canada."

The Haig case confirms that gays and lesbians have a constitutional right to equal treatment. Laws which discriminate against them will be struck down unless the government can demonstrate to the court with strong and compelling evidence that the discrimination is a reasonable limit on the right to equality. The onus is on those who would deny equal treatment of same-sex spouses to justify their position.

Measured against the Charter of Rights and Freedoms, it is clear that many of our provincial laws currently fall short of the test of equality under the charter. I am satisfied, as Attorney General, that it is contrary to the laws of our land not to provide equality between same- and opposite-sex unmarried couples. Given this, it is extremely difficult to respond to the charter challenges being brought to our legislation daily in our courts. I do not believe there is an argument that can credibly be made to justify this discrimination.

Understandably, the courts are concerned that concessions in individual cases transfer too much responsibility from governments to the courts. Leaving these issues to be decided by the courts also carries some significant risks and costs. Constitutional litigation is slow and it is costly for both governments and for private parties. As these cases slowly work their way through the courts, the constitutional validity of Ontario's laws will remain uncertain. In addition, there is a real risk that the courts may strike down whole Ontario statutes or parts of those statutes which fail to meet constitutional standards, thus creating public confusion and administrative uncertainty because of the legal void that will exist as laws are being redrafted.

The courts have made it very clear that they will not rewrite legislation in order to make it consistent with the Charter of Rights and Freedoms. According to the

Supreme Court of Canada in the Schachter case, creating legislation is the responsibility of the Legislature and the Parliament, not the responsibility of the courts.

Our government has therefore chosen to put forward a comprehensive legislative response to the charter issues we are facing with respect to same-sex couples. It is our duty as legislators and my obligation as Attorney General to bring our laws into accordance with this fundamental articulation of the core Canadian values of diversity and tolerance.

Previous governments in Ontario have also recognized that this is a responsible approach to constitutional issues. In 1986, this House approved an omnibus bill which amended a large number of Ontario statutes to bring them into conformity with the equality provisions of the Charter of Rights and Freedoms. The 1986 bill made a number of amendments to the Ontario Human Rights Code, including the amendment which added sexual orientation to the grounds of discrimination prohibited under the code. Bill 167 builds on this 1986 amendment to the Ontario Human Rights Code. It ends discrimination against same-sex couples in Ontario laws, reflects our commitment to the extension of fundamental human rights and reinforces our support for all Ontario families.

1550

There are a number of details in the bill and a number of different things that it does. I think it's important and certainly evident from the kinds of commentary that we've all heard on this bill that we go through some of those issues in some detail, and I intend to do that this afternoon.

In doing that, I would say that it is one of the more important issues that faces us today, and while we know that there may be deep divisions of opinion in this House, it is extremely important for us as legislators to give our serious, thoughtful and respectful attention to this matter.

Whenever we discuss issues that are of fundamental importance to human rights, we are talking about the lives of individuals, individual citizens, women and men, who come before us asking only that they no longer be subjected to discrimination. Whether or not we agree with the remedy to this particular form of discrimination, it is extremely important that we bend our attention to it in a serious way. I am delighted that we are at the point where we are discussing this in this place.

The bill does a number of things. First, it amends the Ontario Human Rights Code to prohibit discrimination against same-sex couples as a matter of fundamental human rights in this province. This means that the discriminatory treatment of same-sex spouses will be prohibited in all areas which are covered by the Ontario Human Rights Code, including employment, contracts, goods, services and accommodation. Bill 167 also amends the code to prohibit harassment of same-sex spouses in the employment context.

These changes to the code will not, as some might argue, promote group rights over individual rights. Anti-discrimination laws recognize that individuals often suffer disadvantages because those individuals are identified with a group which is subject to prejudice and stereotyp-

ing. Historically, this has certainly been true for women and for racial, religious and disabled persons. It is also true in the case of gays and lesbians, people who may live in conjugal relationships with a person of the same sex. The purpose of anti-discrimination laws is not to promote the group interest per se, but to ensure that individuals who are members of disadvantaged groups are treated fairly.

Second, Bill 167 specifically changes other Ontario laws to make them consistent with this basic human rights principle. Same-sex spouses will be given equal rights to employment benefits, for example, as well as equal access to all government services. In addition, this bill ensures that same-sex spouses have all the same obligations as other unmarried spouses, including obligations to support one another financially when that relationship comes to an end.

Bill 45, which was introduced by the honourable member for St George-St David, is pending before this House. That bill has already received support in principle from the House. Bill 167 does what Bill 45 purported to do, but it does so clearly, comprehensively and without any legal uncertainty. Unlike Bill 45, Bill 167 changes the definition of "spouse" as well as the definition of "marital status" in the code, avoiding any legal uncertainty about its purpose or its effect.

Further, Bill 167 goes beyond Bill 45 in ensuring that same-sex spouses receive equal treatment under all Ontario laws, not just those which provide rights to employment benefit services and other matters which are covered by the Ontario Human Rights Code. Bill 167 also goes beyond Bill 45 in imposing responsibilities, such as family support obligations, on same-sex spouses.

I think it is important at this point to address four important things which this bill does not do. First, it does not redefine or affect the institution of marriage. Second, it does not create a so-called right to adopt children. Third, it does not impose significant costs. Fourth, it does not take away rights from anyone else.

I think it's important for us to expand on these points because there has been a great deal written and said that might lead people in the general public, and even some people in this House, to believe otherwise.

First, as far as marriage is concerned, the bill continues to protect marriage as a separate category in Ontario law, with special rights and responsibilities which are automatically attached to it. Marriage laws are the clear responsibility of the federal government. Only if the federal government were to change its own policies or if the courts were to declare the federal marriage laws invalid would this special status change.

The fear that has come about that the institution of marriage is in danger is not so. I think it is important for us to be very clear about this because at every point where provincial or federal laws have been changed concerning the institution of marriage, this has been the very real fear that has been expressed by citizens of our province and indeed across Canada.

If you think of the changes that occurred in the—gee, I'm going to make a mistake about this—it's the Family

Law Reform Act of 1975 or 1976, I'm not quite sure which, the same kinds of concerns were expressed around extending family benefits to common-law spouses and their children. There was a great foofaraw and a great outcry that somehow by recognizing that it is an obligation to support people to whom you have made a commitment over time, with whom you may have had and raised a child, suddenly we were going to denigrate the institution of marriage by requiring the same kind of social obligations and according the same kind of rights to those individuals who choose to live together in a committed relationship without benefit of marriage.

Again, when the Divorce Act was changed federally in 1968, 1969, and again in 1985, the same kinds of concerns were raised, and they are serious concerns. I think we know, all of us, that the institution of marriage has a very, very strong emotional attachment within this province and indeed within our whole western tradition. It would not be the wish of this government in any way, through this act, to want to alter that special status. That fear is a fear that we respect and we understand, but it is a fear which we do not believe is a real fear when attached to this particular bill.

The second issue is the issue of adoption. Again, there has been much misinformation around this issue, and many people have misconceptions about what the law would actually accomplish.

As far as adoption is concerned, this bill simply lets two people who are in a committed conjugal relationship, either of whom can now apply to adopt as an individual, make this same application as a couple. It was the 1986 Ontario Human Rights Code amendment which prohibited discrimination against single gay and lesbian people in relation to the right to apply to adopt. All this bill does is to allow two individuals who are in a committed relationship to do what one of these individuals now already can do.

Most importantly of all, this bill will permit an application to adopt. No one in Ontario now has, nor will anyone get as a result of this act, a right to adopt a child. This bill will follow the practice of other North American jurisdictions in providing access to adoption services for same-sex couples only.

1600

But the test to determine the appropriateness of an adoption remains completely unaffected by this bill. Our law provides that the adoption of children must always be based on the best interests of the child involved. That test, the best interests of the child, has recently been reaffirmed and strengthened by the Supreme Court of Canada in the case of *Young v. Young*. Madame Justice L'Heureux-Dubé described the importance of the test as follows, and I quote her judgement because it is very important as a protection for the best interests of the child. She says:

"The best interests test is universally recognized as the foundation of modern family law around the world and is legislatively entrenched in both common law and civil jurisdictions in the United States, Australia and Europe. Moreover, the need to make the best interests of the child the primary consideration in all actions concerning

children, including legal proceedings, is specifically recognized in international human rights documents such as the United Nation's Convention on the Rights of the Child.... In my view, this amply demonstrates both the enduring value of the best interests test as a legal norm capable of meaningful application and the broad recognition of the interests of children in the field of human rights."

Bill 167 does not change this test nor the rigorous process we have in place in this province to ensure that the best interests of the child are the only consideration in adoption applications. There is absolutely no evidence to suggest that we cannot trust adoption agencies and the courts to continue to carry out their role in the adoption process and to ensure that the best interests rule is the test always applied in cases of adoption application.

A report by the national adoption study which was carried out at the University of Guelph and released in May 1993 recommended that there be an extension of opportunities to adopt by single and unmarried applicants regardless of their sexual orientation whenever the best interests of the child are met.

That report concluded that, "There is no evidence to demonstrate that the best interests of the child are better served in any particular family constellation."

It's important for me to be very explicit around Bill 167, because no law of Ontario guarantees that any couple will necessarily be permitted to adopt any child. All the law does is to permit people to apply to adopt. It is always up to the courts to decide whether a particular home is the right home for a particular child, and Bill 167 will not change that principle in the slightest way. What it will do is to ensure that that right to application is there for couples who are in a same-sex committed relationship and that their consideration will be the same under the test of the best interests of the child.

I would remind you, Madam Speaker, that the current practice, the practice that has been in place in this province for the last eight years, which enables people to adopt as single people without regard in the case of same-sex individual couples whether or not there is a partner in the home on a regular basis who is responsible for that child, may not be as much in the best interests of the child as the situation that we are proposing, where the adoption agencies and the courts would have an opportunity to look at the real circumstances in which that child will live.

Our government is very, very sensitive to the concerns that have been expressed on this particular aspect of the bill. We take these concerns very seriously and are prepared to listen to how our colleagues in this House would suggest that we deal with what they perceive to be a conflict between the best interests of children and the human rights guarantees under the charter of same-sex couples.

We hope that in the course of the debate we will learn in a way that—and frankly at the moment we do not understand what members perceive to be so problematic in the right of everyone to apply for adoption, given that all single people, regardless of sexual orientation, now have that right under the Human Rights Code amend-

ments that were passed in 1986.

I would say that those amendments were passed with support from every party in this House, that it was regarded at that time as a non-partisan issue, an issue which was an issue of human rights and an issue on which people must vote according to their conscience. As you know, Madam Speaker, that is the stance that we have taken on this particular issue.

Some of the members seem to believe that Bill 167 takes the matter of adoption application further than Bill 45, which was introduced by the Liberal member for St George-St David and is still before this House. Like Bill 45, Bill 167 does not amend the Child and Family Services Act which governs adoptions in Ontario. Instead it amends the Ontario Human Rights Code and relies on the primacy of the code's anti-discrimination provisions to supersede more restrictive approaches taken in other Ontario statutes.

I have every reason to assume that Bill 45 was introduced in good faith and supported in good faith by members in this House. Given that the effect of Bill 45 would have been the same, the issue of adoption application rights I find difficult to see as the problem for supporting this particular bill. I would hope that those who supported Bill 45 would now see that this is not an issue on which to reject support for Bill 167.

There's another issue, of course, that has been raised with respect to Bill 167 and that is the issue of whether or not extending benefits, particularly employment benefits, to same-sex couples would be particularly costly at this time.

There is genuine and very serious concern that if we impose additional costs on employers at this point in time, given the very difficult circumstances we have seen in our economy over the last few years, that would not be a wise thing for us to do. Indeed, many people have argued that it would be wise for us as a government to delay this move at this point in time because it might add to the cost of employment and therefore might impede the progress we seem to be making out of the recession.

It's important for us to recognize that Bill 167 does not impose any significant costs on either the government or the private sector. In most cases, the changes carry no costs of any kind, and as the largest employer in this province, we know that, because in December 1990 this government extended these benefits to our own employees and we now have the experience of a number of years to tell us that in fact it is not a costly matter to extend these rights.

As a matter of fact, as an employer, it is of great benefit to us to know that our employees feel secure in the assurance that their loved ones will be cared for in security and that their contributions to those plans will have the same return as anyone else's. I can tell you that for us, as an employer, the assurance that our employees do not need to worry about the members of their families and how they will fare should an illness occur, should a death occur in the family, should there be an injury at work, is very important to us.

We have made a difficult decision, and it is a difficult

decision for us because we are an impatient bunch and would like to see all of these rights available immediately. But we made the decision to delay the proclamation of the required changes to pension legislation until the federal government or the courts alter the current laws that now are discriminatory in terms of the pension plans in our country. We are doing so in order to ensure that costs are not imposed upon employers as a result of those discriminatory federal laws. As soon as those laws are changed or struck down by the courts, these sections of Bill 167 will automatically come into play, and at that point employers will be required to extend survivor pensions to same-sex spouses and will be able to do so at a minimal cost because their pension plans will receive the same tax treatment as those which are provided now for opposite-sex couples.

1610

We have experience with the cost of offside pensions. As was mentioned in one of the petitions this afternoon, we ourselves were ordered by the courts to deliver an offside pension plan to our employees in the Ontario government as a result of one of the cases that came forward under the Human Rights Code. We know that is an expensive proposition, because the tax breaks within the pension plans are part of what makes it possible for employers to support those plans at a cost that is not prohibitive.

We have done that, and we know that from the point of view of ensuring that there is no discrimination against our employees, it is the right thing to do. But we also are aware of the added cost to us of taking that stance and we are concerned that we not impose that same kind of cost upon other employers in the province. We are confident that our colleagues at the federal level will either be ordered to change their laws or in fact will change those laws voluntarily, seeing the economic benefit of doing so, in the near future. So we are making provision within this law that as soon as that occurs, this will become one of the mandatory provisions under this act.

The fourth issue we must look at is that this bill does not take away any of the rights or benefits now enjoyed by opposite-sex couples. No one will lose anything as a result of this bill. This is not a situation where we can only extend rights to some by taking rights away from others, and as a result only a very few people will be in any way affected directly by these changes. In particular, the bill does not, as some have argued, pose any threat to traditional families. On the contrary, the bill is consistent with this government's respect for family relationships and its continuing recognition of the importance of these relationships, both to individuals and to our communities. By making our definition of family more inclusive and, frankly, more reflective of the reality in this province, we are acknowledging what we all know, that families can and do take many forms.

There have been enormous changes in the family structures and the composition of families in Ontario over the last 20 years. Families may now be made up of single parents and their children, married couples with or without children, or same- or opposite-sex couples who

live together in committed relationships outside of marriage, with or without children. Many families today are blended families in which one or more of the children in the family are from a previous relationship. Whatever their form, families deserve our protection and our support. Bill 167 respects the rights of individuals to make their own choices about their personal relationships and ensures continuing public support for Ontario's families in all their diverse forms.

In the past few days the Ontario women's directorate, which I have the privilege to lead as the minister responsible for women's issues, has undertaken a nationwide conference to look at the relationships between work and family responsibility. This was a move that was taken on by us in 1991 as a result of the growing pressures on families because of the changes in our workforce and the enormous impact that has had on our feelings of safety and security within our communities and within our families, the kinds of stresses that our families have been having to respond to as the demographics of our situation change rapidly.

We need to remember that there has seldom been a period in our history where there has been so many profound social and economic changes over as short a time. We took the leadership nationally among the women's issues ministers across the country because we knew that in Ontario there had already been a great deal of work done on this issue.

The delegates, who came from all over this country and indeed some visitors from other parts of the world, brought their own experience of families together and talked about the need for us to find ways that governments can better support the family in these rapidly changing times. But it became very clear, even from the 150 people at that conference, that there is an enormous difference in the numbers and the kinds of families we see and that there is a real hunger for people to see in the public policy of governments more explicit support for the family in all its forms.

The results of that conference underlined, certainly for me—when you get a number of people, and they represented advocacy groups, public policy makers, social planners, government officials and members of the general public who were interested in the issue, all these people were saying we cannot make assumptions about who families are and what they need according to what may have been true in the past.

The point was made, however, by Professor Susan McDaniel—and I am getting to my point—that our thoughts about family often bear little relationship to reality. She pointed out something that I had never noticed before: that the most popular and most well-known family in Canada to the rest of the world is a family made up of Matthew and Marilla Cuthbert, older brother and sister, never married, and their adopted child, Anne Shirley. That is the family that is most commonly known across the world as the example of the Canadian family. It's an interesting thing. I'd never thought of it before, and I sat there kind of surprised, but Anne of Green Gables is seen across the world as the family, in terms of people being prepared to create a family together

to support children and to support one another.

She did not go on with the analogy, but I will, because when Matthew dies, Marilla's friend Rachel comes to live with the family and then they adopt twins, whose names I think I've forgotten—Danny and somebody, but anyway—and that family then continues to be a non-traditional family representing all the best family values that we can have.

I tell that story, as Susan McDaniel did, to say that while we all—and I think this is true of everyone in this place—support the function of family and want to see that function strengthened in our province and in our communities and that we have obligations in terms of public policy to see that we are supporting families in all their chosen forms, that as we look at these issues we try very hard to recognize that people do choose different forms of families and still deserve the same kind of support from us all.

1620

Given what I've said about that family and how extended it is, I'd like to comment very briefly on some of the recent suggestions that came forward from the federal Minister of Justice around an alternative approach to this whole issue of how to meet our constitutional requirements and look at this matter in a different way. The federal minister suggested, as an alternative approach to this matter, that we really look at all sorts of forms of relationships and look at them in the sense of emotional and economic dependence rather than familial base.

Madam Speaker, I want you to know that Ontario has given careful consideration to such an approach. I really want this House to understand that we are very prepared to work with the federal government and others in considering its implications, because I think it strikes a chord with a lot of people in this country, whose experience may be of that kind of extended family or may not, but who understand that there are different ways in which people relate and that those relationships are important.

Essentially, the approach suggested by the federal Minister of Justice moves away from a consideration of whether a relationship is conjugal—right now, most of our laws depend on definitions that talk about conjugal relationships in the sense of a dependency that is based on that particular close, chosen tie between two people—but focuses instead on emotional or economic dependency. The federal minister believes that would be a better way for society to look at the function of family, rather than the form of a relationship, in order to determine what the rights and what the supports of families ought to be.

We took a long time as a government to consider various options that might achieve the human rights objective that we had but might do that in many different ways, and we looked at the possibility of expanding this definition to non-conjugal relationships.

Obviously, such an approach raises new issues. Those are sociological issues as well as economic issues. Let me just outline some of them, some of the questions we would need to answer.

The definition of such a family would remain very

much an issue. Definitions are important, as we all know, because unless we have the definition, a section of any act that depends on that definition can always be challengeable and we end up in endless litigation. That's our problem now with this whole situation. So the definition remains very much an issue.

Then there are many questions which we would have to have answered in considering this approach. I'm going to just suggest some of them, and it will evoke, I think, for everybody in this House the complexity of this matter and how much consideration it will require.

Should the test of whether or not a family meets the definition require that the particular relationship be of primary importance to those involved? Generally, a conjugal relationship, as we define it in law, makes the underlying assumption that that's the primary relationship in people's lives and that other relationships follow from that. So if we were going to really redefine in that sense, we would need to answer that question.

Should there be a need for economic interdependence where benefits such as health benefits are concerned? Again, most of our benefits, our laws, now assume, whether that's reality or not—and in many cases, with two partners working at full-time employment, it may not be the case—that this means an economic interdependence. Would that be the case in this kind of situation? Would there be economic dependence of one person on another? In other words, if one person is dependent, would that be the definitional aspect? That remains a question.

Should the test be emotional dependence? We all know that one of the things we evoke as we talk about family and deal with the issue of why we choose to live in certain relationships is the emotional satisfaction and support we get from those relationships. Would it be sufficient in these relationships, to meet a test of definition, that there be an emotional dependence? That, of course, raises another issue: How would we measure the level of dependence? What would the test and the measurement be? Should the individuals in such a relationship be required to be living together or could close relationships and attachments transcend municipal or even provincial boundaries? I can think of a number of fictional situations where that is true and one would wonder if that would meet that definition.

How many people would be affected? We have no idea, because the demographics have not been done in the same way. Our census data may tell us who lives in different dwellings at a particular moment in time, but very often do not define whether or not there's an attachment between people that can genuinely cause them to be described as a family.

Can employers or, probably even more important, insurers accurately predict the cost consequences of that kind of expansion of a definition? Since actuarial calculations are now made on very different assumptions, I would assume a recalculation of the impact of such a move would be a very important part of what would go on in an examination of this idea.

One of the things that surprised me in the discussion that has arisen since we announced our intention to move

forward with what is basically a very simple and straightforward remedy to a constitutional problem that we face, and that we face every day in costly litigation, was the enthusiasm with which people greeted this notion of redefining the family, quite unlike the kind of opposition that suggests, it's not unfair to say, that it's anathema to even suggest that we might redefine the family. We are obviously prepared to work at trying to answer some of these questions, but this was not the objective that we were trying to achieve.

Bill 167 represents our view that at a minimum at this point in time we need to move to bring Ontario statutes into line with the charter, building on already accepted tests and definitions. Bill 167 would resolve litigation that is now before the courts and respond to the immediate human needs of many people in this province. That was the intention of our act.

However, I would like to be very clear on two points. First, the approach the federal minister is proposing would clearly include all of those who would be included under Bill 167. The only question is whether it would include others as well, other forms of relationships as well, and on what basis.

Second, Ontario would be very much prepared to consider an amendment to Bill 167 along the lines that are being proposed by the federal government and others within this House who have come to me and to other ministers saying: "Why are we relying on a conjugal relationship? Perhaps we ought to be broadening this to really reflect the reality of all families and not just narrowing this to the issue of rights of same-sex couples." We would be willing to do that as long as we can answer some of the questions which are now outstanding in a timely fashion. That is the issue for us. If there is a willingness in this House to work on such an expansion, then we certainly would be prepared to work with our colleagues to do that.

I am confident that the legislation we are proposing is needed and is needed now. I am also confident that this legislation builds on the solid basis of tolerance and respect which has characterized this province. Bill 167 represents an essential part of our evolving human rights framework. At the same time, by strengthening the position of couples in this province and ensuring basic benefits to them, we are acting to strengthen our economy. People in secure and supportive relationships are better able to contribute to the economic growth and health of the province.

1630

Our inclusive policies and framework of tolerance will ensure that all citizens feel supported in their efforts to contribute to Ontario's economy.

By imposing obligations on same-sex couples, we are also ensuring a level of security for many people who are now dependent in relationships where they cannot rely on the assistance of the law, should that relationship disappear. That is an important issue because, as we are in very uncertain times, in times when many families have seen their means greatly eroded as a result of the recession, we find many families experiencing the kind of anxiety and the kind of stress that comes from uncertainty

about the future, and same-sex couples are no different from any other form of family in that. So the certainty which underlies the relationships which we now recognize in our communities as protected would also belong to those relationships and would add to the stability and the strength of our community.

I think, as we consider these issues, it will be important for us to listen carefully to one another, to try to seek a resolution to the very real constitutional problems that we face and to deal with the emotion that surrounds this issue in a way that is respectful of the dignity of individual people who are involved in this issue. It seems to me that we are a group of people who can achieve that within this place. It is a grave responsibility that we bear to try and create legislation which meets the changing needs of our society, the changing public policy demands of our society, which supports the values that we hold dear in our society and which strengthens us as individuals and as communities at a time when we need that strength more than ever before.

I am certainly satisfied, as the Attorney General, that it is contrary to the Charter of Rights and Freedoms, the supreme law of our land, not to end discrimination against same-sex couples. Cases going through our courts are steadily affirming this. It seems to me that as people of principle, as people with strong values, values which include the value of each individual in our society under the charter and all those groups that are protected by the Charter of Rights and Freedoms, we will decide that we will vote in favour of this bill and that we will create a society which is reflective of the core human rights that we hold dear as citizens of Ontario and citizens of Canada. I urge the members here to reflect on those matters that we've raised, to listen carefully to one another and indeed to join me in supporting Bill 167.

Applause.

The Deputy Speaker (Mr Gilles E. Morin): I would like to advise the members in the gallery that you are to refrain from applauding or any other type of demonstration.

Questions or comments? There being none, further debate?

Mrs Lyn McLeod (Leader of the Opposition): We are being asked today, as a part of the process of second reading approval, whether we as members of this Legislature support Bill 167 in principle. I will be voting against it because I do not support it in principle and I would like to state why.

This bill will make fundamental changes to the definition of "a family unit." It will change the definition of "spouse," which will trigger changes in some 55 different statutes, and it will extend the right to jointly adopt children to same-sex spouses. These changes represent radical departures for Ontario. They are changes which go beyond what I believe the people of Ontario are prepared to accept, and they go beyond what I personally am prepared to accept.

For over a year now, I have stated my concerns about any redefinition of "family," including the joint right of adoption. I also indicated that I was prepared to support

the extension of health, sick leave and pension benefits to same-sex couples. These are two very different sets of issues. The extension of health, sick leave and pension benefits was provided for in the private member's bill that was introduced by the member for St George-St David, which would also have amended the Human Rights Code to prevent harassment in housing and in the workplace. I said I would vote for that bill, and I did.

By contrast, the bill we are being asked to support today is based on different principles and it would have far wider applications and implications. In fact, my colleague the member for St George-St David was personally in favour of a far wider set of changes, including the redefinition of "spouse." But that change and all of its ramifications in the definition of "family" and "spouse" and "adoption rights" went beyond what I could support, and that is why it was not included in the private member's Bill 45.

There are those in the government, including I believe the minister today, who say that Bill 167 only does what Bill 45 would have done. If that is the case, why are we now considering Bill 167? If that is the case, why did so many supporters of Bill 167 say, for the past year, that Bill 45 did not go far enough? Why are many of those same people saying Bill 167 is the most sweeping and comprehensive legislation ever to be presented on this topic?

The government knows it is different; supporters of Bill 167 know it is different; and I know it is different. The differences were important enough to prompt the government to bring in this far wider bill. They were important enough to cause many to lobby for this far wider bill, and they are important enough to cause me to oppose this far wider bill.

It is not sufficient to say that if we pass this bill in principle, it will be followed up by committee hearings and by possible amendments. Passing this bill in principle represents approval in principle. Committee hearings about a bill that has already been approved in principle are no substitute for the kind of thoughtful process that the minister has talked about today and that should have been employed before this legislation was presented.

Sweeping legislation that could have very deep social and economic implications for this province has been presented in a way that has left the people of this province no opportunity to consider the ramifications in a coherent and comprehensive manner. This government clearly understood what the issues were, and it chose to present this very broad legislation. We are now called upon to debate and to vote on this legislation in what has become an atmosphere of heightened emotion, confrontation and polarization.

1640

Today, even as we begin this debate, we hear reports of possible proposals by the government to salvage what they can by offering draft amendments to a bill that was introduced only a few days ago. Any possible amendments that would be offered on second reading would have no standing and cannot be the subject of this second reading vote in the Legislature. The second reading vote is a vote on the principles in Bill 167, which fundamen-

tally change the definition of the family in a way that neither I nor the people of Ontario are prepared to accept.

The response that we're seeing to this bill confirms the concerns I expressed over a year ago about the reaction such dramatic legal changes in the definition of family and the right to adoption would meet in this province. The debate has been acrimonious, it has been heated and it has indeed been polarizing.

I have been disappointed to see very deliberate efforts made by some to confuse and to inflame what is already a sensitive and emotional issue. This is especially disappointing because this issue involves the consideration of fundamental principles, and that should be done in a clear and logical manner.

It is also inevitably an issue which calls forth deeply held convictions from very different perspectives. The fact that this is a free vote underscores this issue as one that is based on individual conscience and one on which all members must sort through fundamental questions, and this brings me back to the points I raised at the beginning of my remarks.

I cannot support legislation which so dramatically redefines the family unit. I cannot support the redefinition of "spouse," which triggers changes in 55 different statutes. I cannot support the right to jointly adopt.

It is often a fine line between a policy that is fair and makes sense and one that simply goes too far, and this bill crosses that line. I believe this legislation fails the test of good public policy. It is too broad and sweeping in its implications and it lacks public consent. In summary, it goes beyond what I can in conscience support, and that is why I will be voting against approval in principle on Bill 167.

The Deputy Speaker: Any questions or comments?

Mr Gary Malkowski (York East): I would like to respond in questions and comments that I think a very fundamental question is, do you think that gay and lesbian people are responsible people who are willing to accept the responsibilities? I think there needs to be leadership taken in stopping discrimination.

Bill 45, which was introduced by the member for St George-St David, was reflective in supporting and in trying to stop discrimination happening. I think that is the goal of this legislation and I think you need to take leadership in terms of educating and stopping discrimination on this human rights issue. This is a very fundamental issue where we are taking responsibility.

Hon Tony Silipo (Minister of Community and Social Services): I want obviously, in the very brief time that I have, to respond to one point that the Leader of the Opposition made and say, first of all, that I think it's useful—I listened very carefully to what she had to say and I think it's useful that we have very clearly on the record her views on this matter, as indeed it's going to be useful to hear from other members. I think it's appropriate that we hear finally a fairly clear position from the Leader of the Opposition.

I do want to make one point, because I know that one of the points that the Leader of the Opposition made was to explain why she supported Bill 45 and why she does

not support this particular bill. One of the points she made was with respect to adoption.

Whether there's been a question of confusion or simply different interpretations, I think it's also appropriate to put on the record that it is the view of many of us that, in reading what Bill 45 would have done, it would have, because it clearly amends the Human Rights Code definition, including the Human Rights Code definition of "marital status," also affected adoption proceedings because adoption proceedings, as I'm sure the Leader of the Opposition is fully aware, are covered by the Child and Family Services Act.

The Child and Family Services Act has been deemed by courts of this province to be subject to the Human Rights Code. It just behooves us all to take that also into account, but whether it has been by virtue of different interpretations or confusion or whatever, I think it's useful that we have finally the position of the Leader of the Opposition.

I would end by saying that I hope, as the Attorney General earlier indicated, that people go into these discussions being prepared to listen to each other and being prepared to see if there isn't also a way to come to some conclusions together.

Mr George Mammoliti (Yorkview): I think most people in the Legislature will know where I stand on this issue and I hope that most will respect my position on the issue, as I respect others and their positions. I think that with some dialogue and with some discussion we can perhaps understand each other a little bit more.

My concern here is that just a few short months ago the Leader of the Opposition stood on one side of the issue—and I respected her for that opinion—and now, later on, she's on the other side of the issue. How can you respect her when she keeps flip-flopping back and forth and back and forth? Maybe next week she will change her mind again and maybe the caucus will change its mind again. I'm not sure.

I think that on a very controversial and a very emotional issue like this, leaders like yourself, through you, Mr Speaker, should take a position—

Mr Anthony Perruzza (Downsview): And not speak out of both sides of your mouth.

Mr Mammoliti: —and not speak out of both sides of your mouth, as my colleague has just said. That, in my opinion, is the wrong thing to do and at the wrong time. Right now, we're going through a difficult time in this place. We are trying to debate a very emotional issue and for them to be playing politics with this issue is strictly out of order, Mr Speaker.

1650

The Deputy Speaker: Order. Further questions or comments?

Mr Rosario Marchese (Fort York): I want, for the record, to make some remarks that I think should make the Leader of the Opposition a bit uncomfortable, which I hope she will feel. I'm a bit disappointed with her remarks, but I will read some of the things she has sent and written in a letter to Bob Rae and Marion Boyd on March 9, 1993.

One quotation from that letter says, "If you will agree to bring legislation forward immediately, I will do everything possible to facilitate passage."

Regarding court and tribunal decisions which recognize same-sex spousal rights, the same March 9, 1993, letter states, "I am calling on you to heed this direction and to take action now to recognize the rights of same-sex couples."

She goes on to say in the same letter, "If you do not act...please be assured that a future Liberal government will move more swiftly to take the action which I am requesting you take immediately."

A Lyn McLeod letter to the Coalition for Lesbian and Gay Rights in Ontario, dated March 24, 1993, says: "Let me be clear. We must end discrimination against lesbians and gays."

The same letter goes on to say, "It is my belief that human rights should not be up for negotiation and that Ontario legislation should be made consistent with the Canadian Charter of Rights and Freedoms."

Leading up to the St George-St David by-election, the Liberals issued a brochure which indicated that one of the things they would fight for was "full legal rights and benefits for same-sex couples," and the text went on to say, "Let's get Tim Murphy, Lyn McLeod and the Liberal team working for our community."

Alvin Curling, during second reading of Bill 45, June 24, 1993, was talking about the commitment by the Attorney General to bring forward legislation, "...we will look at it in that very intelligent way too to make sure that people are not discriminated in any way possible, because that is what we are here for."

The Deputy Speaker: The leader of the official opposition, you have two minutes to reply.

Mrs McLeod: This is certainly not an issue which I, for one, and I believe most members of this Legislature come to only in recent weeks. This is an issue I have thought about very deeply and very carefully, not in the last 10 days but, I can tell you, almost continuously for the course of more than a year. It is an issue on which I have been absolutely clear in expressing my position and as well my concerns at each point in the development of this issue.

I have supported legislation brought in by a member of my caucus in the absence of government action on this issue, and I voted for that legislation. That legislation reflected my clearly stated concerns about what I could support and what I could not support, and as I have indicated today, that legislation, on what we considered to be sound legal advice, drew that distinction between the extension of benefits of health and sick leave and pension benefits and the further step, which I could not support, of the redefinition of the family unit and the right to adopt.

I have also called in the past on this government to present to the public and to this Legislature the review of other statutes which they believed would need changing and what the social and economic implications of changes in those statutes would be.

I submit to you, Mr Speaker, that this government has

failed to present that review and has certainly failed to in any way present either the changes in the statutes or the social and economic implications of those changes before this legislation was introduced and before the members of this House would have to stand and vote.

This debate will continue at the end of the day. Each member will take their positions, and I respect that.

The Deputy Speaker: Any further debate?

Mr Charles Harnick (Willowdale): I rise as the critic for the Attorney General to offer my remarks about this Bill 167.

At a time when 500,000 Ontarians don't have a job, at a time when over a million people are on social assistance, at a time when our country's future is in question, this government is giving priority to legislation which changes the definitions of "marital status" and "spouse" to include same-sex relationships.

We do not believe this issue should be a priority for the Ontario Legislature. We were the only party in the Legislature to unanimously oppose this legislation on first reading, and we will oppose it on second reading.

I believe it is irresponsible for a government to inflame controversy needlessly, and make no mistake, the way this issue has been handled and the way promises and commitments have been made by various politicians has inflamed the controversy.

Our caucus has been clear from the outset on this issue, and I would like to put the position on the legislative record today. My conscience is clear. My party has not made promises. My party has not made promises like other political leaders have made.

Interjections.

The Deputy Speaker: Order. The member for Willowdale.

Mr Harnick: Thank you, Mr Speaker. As you know, Mr Speaker, our party leader, Mike Harris, is a strong advocate of free votes.

Laughter.

The Deputy Speaker: Order. I would ask you please to give the same respect to the member for Willowdale as you did for the others.

Mr Harnick: We have had many free votes as a caucus since Mike Harris became leader. Never once has a person in our caucus been told how to vote on any issue. That may be of some amusement to my friends in the Liberal Party, but it is something that we do in this party with conviction. Every member of our caucus is free to vote as they see fit on this issue. We had a free vote on first reading. As it happened, we were the only party that unanimously voted in opposition to this legislation and we will be the only party to consistently vote in opposition on second reading.

Mr Alvin Curling (Scarborough North): Not unanimously. Where was Margaret?

Mr David Turnbull (York Mills): She was in PEI, you idiot.

Mr Curling: On a point of order, Mr Speaker.

Mr Perruzza: A point of order, Mr Speaker.

The Deputy Speaker: There is a point of order already. The member for Scarborough North.

Mr Curling: Mr Speaker, I gather he is trying to describe me. I want to understand what kind of description.

The Deputy Speaker: Please. Do you have a point of order, the member for Downsview?

Mr Perruzza: My point is this, Mr Speaker: The member keeps mentioning how the vote was unanimous. Margaret Marland and Allan McLean were not in the House.

The Deputy Speaker: Order. I would ask the members of this House to give the same respect to the member for Willowdale as you did for the two other members who addressed this House.

Mrs Margaret Marland (Mississauga South): Mr Speaker, I rise in this House on a point of privilege. This member, the member for Downsview, has referred to my being absent for a vote, which in the first place is something that, I say with respect, is not done in this place. But that having been done—Mr Speaker, hear me out.

The Deputy Speaker: I heard you. This is not a point of privilege.

Mrs Marland: Mr Speaker, would you like me to refer to the order under which I am standing in my place?

I have been referred to by the member for Downsview for my absence at the time of the vote on first reading of this bill. That bill was introduced without any announcement to this House by this government. I left that morning at 6:30 for Nova Scotia, if you want to know. Had I been in this House, I would have voted with the rest of my PC colleagues in opposition to this bill.

1700

Mr Curling: I would ask the member for York Mills to withdraw the remarks he made about me, Mr Speaker.

The Deputy Speaker: I haven't heard, unfortunately, the remark that was made about you. If there was an ill remark, a remark which was not acceptable in this House, I would ask that member to withdraw.

Mr Turnbull: Mr Speaker, I will withdraw my remark since my colleague has explained where she was, because he was misleading the House, suggesting that she wasn't here. I will withdraw.

Mr Allan K. McLean (Simcoe East): On a point of personal privilege, Mr Speaker: In this Legislature this afternoon I've been named as a member who was not here when the vote was taken on first reading of this bill. I was in northern Ontario on government business, and if I had been here, I would have voted no also.

Mr Harnick: Given that we are unanimous as a caucus on this issue and we are firmly of the view that this should not be a priority issue, I have been charged with the task as our party's Attorney General critic with putting our caucus's opinions on the record.

I do not wish to get too immersed in legal technicalities during the course of the second reading debate—

Mr Robert Chiarelli (Ottawa West): Get immersed in the truth.

Mr Harnick: —but I would like to put some broad principles on the record and articulate why we oppose the legislation. In response to the member, Mr Chiarelli—I don't know what his riding is—he says he wants me to put the truth on the record, and that's exactly what I'm going to do. I'm going to do it a little bit out of order so that Mr Chiarelli can feel comfortable about what I'm going to say.

We have heard the member from Thunder Bay, the leader of the Liberal Party, and we have heard the speech she made. As she made the speech I could hear with a thud the hearts of a lot of the people in the gallery hitting the pits of their stomachs because—Mr Chiarelli wants the truth; well, I'm going to give it to him—here's what the leader of the Liberal Party said and here's what her position was on March 9, 1993. This is a letter she wrote in her pen, with her signature on it, on her letterhead, addressed to the Honourable Bob Rae and the Honourable Marion Boyd. Nothing could be more clear. Here's what she said:

"I wrote to the former Attorney General, asking for action on the government's promised review of all provincial policies and laws that contain"—and here's the interesting part, so I want Mr Chiarelli, who's a well-known Ottawa lawyer, to listen up, because we're going to talk about some legal technicalities—"a definition of 'spouse'"—and here are the neat words—"with a view to possible reform."

Well, if one takes a look at the definition of "spouse" as it now exists, there is only one way it can be reformed. There is only one way that it can be reformed and that's the way the government has done it, and it's by imposing the words "of either sex." That's what the government has done.

Now, there can be no other position that the leader of the Liberal Party was taking on that day, on March 9, 1993, on the eve of a by-election in St George-St David. There can be no mistake about the position she took and there can be no mistake that she arrived here today—and it's interesting that Mr Chiarelli and his band over there made reference to the absence of members of our caucus. Well, I'm going to make reference to the absence of the member from Thunder Bay, the leader of the Liberal Party, when this came up for first reading. But she arrived here today and changed her position 180 degrees. She went through a reformation over the course of one year that virtually takes this letter, takes the hope that she gave to constituents of Mr Murphy, and threw it in the garbage. And that is absolutely the position that she took.

Mr Chiarelli: What did Mr Harris say to St George-St David?

Mr Harnick: Our party made no such promises. The fact that we had a candidate who was an advocate for a community and was advocating for that community is something we respected, unlike the Liberal Party, who didn't respect the principles that they were delivering to the voters in St George-St David. If you want a debate on that, Mr Chiarelli, I'll have it with you any time, any place.

Mr Ron Eddy (Brant-Haldimand): Point of order.

The Deputy Speaker: Before I listen to your point of order, I would advise you, the member for Willowdale, that when you address a member, you address the member by his riding.

A point of order, the member for Brant-Haldimand.

Mr Eddy: Mr Speaker, that is exactly the point: Mr Harnick is consistently and purposely referring to the member by name. Thank you.

Interjections.

The Deputy Speaker: Please, please. I would ask the members to please not interject. There is a period afterwards which is called questions and comments; you can voice your opinion at that time.

Interjection.

The Deputy Speaker: The member for Ottawa West, I advise you.

The member for Willowdale.

Mr Harnick: Thank you, Mr Speaker. My apologies for not referring to the gentleman from Ottawa West.

Mr Eddy: Several times.

Mr Harnick: Several times. I apologize.

I wish to clearly state what we as a caucus and as a party support. We are strongly in support of the rights of the individual. We are strongly in support of fairness. We are strongly in support of equal treatment under the law, and, with equal strength of conviction, we strongly oppose discrimination. We have been clear and we have been consistent.

I know the Liberal leader has just spoken on this debate, but unlike the Liberal leader, we have been clear and we have been consistent and we have made no promises. My advice to the Liberal leader is to stop painting labels on her opponents. She has herself so tied up like a pretzel that I think what she's really painting is, today, her own tail.

It is our hope that the Legislature will defeat this bill on second reading. We do not support changing the definition of "marital status." The role of the family is an important and fundamental building block in our society. We can discuss the changing makeup of the family and society; we can discuss the pressure of raising children in a single-parent family or in a two-income family. However, I think it is entirely wrong to debate changing the definition of "spouse" or the definition of "marital status" in order to address the concerns of one community.

We are debating today a matter of representation and a matter of principle. It is a matter of representation because, as legislators, we have to draw on our beliefs about our responsibilities as elected officials. These, to me, must be balanced between our own views as to what is right and wrong and those of our constituents.

1710

In the remarks of the Attorney General, which I listened to very intently and attentively, the one aspect that was missing was, what does the community at large think? What do our constituents tell us? It is a matter of principle because the purpose of Bill 167 speaks directly to society's long-held views about the nature of human relationships and their role in ensuring a stable society.

Some of us derive these views from deeply held religious convictions and we would be untrue to our faiths, to ourselves and to others to deny this. Others in this chamber take a more secular view of the role of the traditional family. For some of us this is founded on the mounting evidence that the erosion of society's support for the traditional family has immediate, lasting and frequently tragic consequences for people, for communities and for societies as a whole.

In some quarters it is not popular, nor is it supposedly good politics, to draw either on religious convictions or on the practical evidence to make the case against changing the definition of marriage or extending adoption rights to same-sex partners as this legislation would do.

People who refer to their religious convictions on this issue are ridiculed as extremists or fundamentalists or rednecks or zealots. People who defend the traditional family on the strength of the sociological research are accused of attacking single mothers or racial minorities or, in this instance, gays and lesbians. Neither characterization is fair, but they have been common throughout this whole discussion. Their effect has been to cheapen public discourse on this important issue and to sow bitterness and division between well-meaning people of differing views.

It's interesting. There was an article in the Toronto Star today by Rosie DiManno. She comments reflectively on a discussion about opposition to this bill. She says, "Opposition to this bill—whether on religious, moral or economic grounds—does not make you homophobic. It doesn't mean that you have an irrational fear of gays and lesbians. It means, I think, that you do not wish to impart the benefits of a conventional society—the traditional covenants that create order out of chaos—to unconventional hybrid families." That's what she says.

The changing nuclear family and the consequences of this change are today being documented and studied by sociologists as never before, to see if they lie at the root of the unprecedented social turmoil we see all around us in the 1990s. From poverty to illiteracy to criminality, social scientists are fast coming to the conclusion that many of our most pressing public policy challenges can be traced directly to society's declining support for the traditional family.

We all see this in our ridings. We go to town hall meetings, and we hear about violence in schools, and we hear about increases in crime, and we hear about the breakdown of the family. We know, every member in this Legislature, the concern that mainstream communities have for issues dealing with the family today. We all hear it in our everyday experiences as members representing our constituencies.

The case for this argument was best surveyed in an essay in the May 1993 issue of the Atlantic Monthly. This celebrated article begins by pointing to the hazards of honest debate on this issue faced by those who tried to raise it in less urgent times. It recalls how in the mid-1960s Senator Daniel Patrick Moynihan was condemned as a racist for drawing a link between the prevalence of black single-mother families and the lower socioeconomic standing of black children. Every time the

issue of family structures has been raised, it notes the response has been at first controversy, then retreat and finally silence.

The essay continues, and I commend it to everyone in this Legislature, through 21 dense pages of evidence drawn from dozens of studies, all of which point to the same conclusion, that with the decline of society's support for the traditional family and the emergence of so-called alternative family models follows the decline of the social, psychological and economic development of society as a whole.

It ends with this caution: "Taken together, the research presents a powerful challenge to the view of family change as social progress. Not a single one of the assumptions underlying that view can be sustained against the empirical evidence."

When I refer to that article, I refer to it because it is good reason to cause concern in communities across this province. In fact it does cause concern, legitimate concern.

The NDP legislation proposes to change the definition of "spouse". What I believe is happening in society is that the original role and purpose of family benefits was to provide financial support to two people who had entered into the institution of marriage with a view to raising a family in the manner that was more common in the post-Second-World-War economy. That's what the traditional nuclear family is. As the definition of that family unit changes in today's modern society, the original parameters of family benefits must also change. This in and of itself would be a very complex discussion.

The debate over the role and purpose of benefits and how they should be administered is a far different debate. If we are going to debate support benefits and how fairly they are available, we should debate the fairness across all categories, not just for one particular interest group. We should debate the purpose of benefit plans and how they may have changed.

That debate would be for a different social and economic purpose than the debate in which we are currently engaged. That debate would recognize that sometimes a child looks after an aging parent. There is a real dependency in that situation. Why are we not addressing that today? Why are we approaching this only to benefit one narrow interest group?

We have problems with pensions and portability and people who work for many years at one company and then leave and start again. Their pensions are not the same amount at the end of their career as if they had stayed in one place in many, many cases. Why are we not addressing those inequities as well?

We're engaged in this debate and the debate on the Liberal bill because they attempt to deal with specific concerns of the gay community alone. Changing definitions of an institution such as marriage to address the concerns of one narrow group is the wrong way to go.

You know, Mr Speaker, it's doing a bit of mental gymnastics when you change the definition of "spouse" and you change the definition of "marital status" and you don't recognize or pretend not to recognize that what

you're really doing in an indirect way, because you can't do it directly, is changing the institution of marriage.

Quite simply, that makes this bill very unpalatable to the majority of people who live in my riding and to the majority of people who live in ridings represented by my colleagues and evidently represented by members in the Liberal caucus on the basis of the change that their leader has made on the way to Rome.

1720

If there is discrimination, we must root it out. As I indicated at the outset, we are opposed to any and all discrimination and we are in support of fairness under the law. If there is unfairness or discrimination, the courts should and must act.

We know—the Attorney General spoke about it—that with the Charter of Rights and Freedoms that Pierre Trudeau gave this country the courts now have a legislative function. Many judges over the years since 1982 have not been happy about that. They have not been happy about the change in their role as judges because they are being asked to legislate. That has become a recognized function under the Charter of Rights and Freedoms.

We will support the courts' rulings on these matters. The charter and the court system are designed to protect rights and freedoms. If there is unfairness or inequity in the administration of benefit plans, let's deal with that.

Let's deal with situations where brothers or sisters live in a situation of dependency with one another. Let's look at situations where an aged parent is being looked after by a child. If there is unfairness or inequity in the administration of those benefit plans, let's deal with that. Let's not just deal with it in a situation where there has to be a conjugal relationship.

Naming a beneficiary for pension benefits, health benefits and other forms of benefits can be changed without changing the institution of marriage. I see in today's paper that there was reference to a registered domestic partnership scheme in California, which really is a scheme used to regulate the economic rights of people living together.

My caucus colleagues and I will be opposing this bill. It's not a bill that technically is particularly difficult. It's a bill that effectively changes the definition of "spouse," exactly the bill that the Liberal leader advocated before the by-election in St George-St David.

There is no other conclusion that one can come to when someone advocates in a letter that says, "I wrote to the former Attorney General asking for action on the government's promised review of all provincial policies and laws that contain a definition of 'spouse' with a view to possible reform."

There is only one kind of reform that could have been made or that can be made to the definition of "spouse," and that is the reform that the New Democratic government, the New Democratic Party, is now making and that is the reform that the Liberal leader was advocating a year ago. These are her own words.

She went even further and said, "If you do not act and in the unlikely event that the courts have not yet finally settled the matter within two years, please be assured that

a future Liberal government will move swiftly to take the action which I am requesting you to take immediately."

There is no doubt about what the Liberal leader was saying.

Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs): What by-election was that?

Mr Harnick: The Minister of Agriculture, Food and Rural Affairs asks me what by-election that was. That was the by-election in St George-St David where promises were made and promises evidently are not being kept.

There is one very interesting issue that I wish to close on. As you heard earlier from the remarks of the Attorney General, by changing the definition of "spouse" we are amending approximately 55 other statutes. One of those statutes is a very interesting statute to amend. It's the statute that deals with members' conflict of interest. In the compendium that the Attorney General has provided us with, it talks about how the conflict-of-interest acts which affect the individual members of this Legislature are to be dealt with. It says:

"In order to address privacy concerns which may arise if members are required to disclose the existence of a same-sex spouse, the acts are amended to require disclosure by all household members. These amendments will not weaken the conflict rules but will address privacy concerns."

Just in closing, it strikes me that if I have a wife, I'm proud to disclose who my wife is. People who live in common-law relationships disclose who their partners are. If you're going to amend legislation and you want to amend it broadly and you want to be intellectually honest about it, you have to go the whole nine yards. I see in this particular aspect of the bill a certain reluctance, a certain standard being set for politicians that's going to be different from the rest of the community, and I don't think that's right.

I appreciate having had the opportunity of speaking on behalf of my party on this issue and putting my remarks on the record and confirming that my party will be voting against this bill on second reading.

The Deputy Speaker: Questions or comments?

Mr Malkowski: I wish to respond to the member for Willowdale. In your comments you talked a little bit specifically about communities, the opinion of communities and constituencies, and you said Marion Boyd, our Attorney General, made no comment about that.

I would like to present some facts. In fact, what is true is that many businesses, community organizations and companies offer same-sex benefits: the Globe and Mail, the Toronto Sun, Bell Canada, IBM and many other businesses. I would have thought, given your political party's contributions to corporations and businesses, that you would have been representing their interests when they are already doing this. I would challenge you on that.

Another point: If the goal is to be cost-effective and to reduce the costs of our expenditures, it makes economic sense that we reduce the costs of court challenges, because court expenses, as these things go through the

courts, will increase, and we need to make sure we decrease the costs. I was wondering why, when you're advocating that we reduce the costs of government.

Also, when you were talking about community and business interests when business already does this, it would seem you're trying very hard to cover the facts and not really representing them well when many large corporations and private businesses already do this, cover same-sex benefits. Could you tell me, please, if you feel you're representing those well? If not, no.

1730

Mr Chiarelli: First of all, I want to say that I agree with the substance of most of what the member for Willowdale has indicated. I too am opposed to Bill 45. I too am opposed to Bill 167, mainly for the reasons the member has set out.

However, I really take exception to his political characterization of what my leader has said and particularly what his leader has said. This issue was nowhere on the political landscape until there happened to be a by-election in St George-St David. As we know, there is a very large gay-lesbian population in that particular riding and it became a very significant issue in that by-election.

I want to read from one of the pieces of election material by the Conservative candidate, which says: "My leader, Mike Harris, is encouraging me to work to redefine the term 'spouse' in all legislation. It must include a wider range of individuals in committed, supportive relationships, including same-sex couples."

Also, another document indicates, "Mike encourages the redefinition of the term 'spouse' in all legislation, allowing gay marriage, adoption and education." That's a Conservative campaign brochure, March 1993.

It's very strange that we would have the member for Willowdale standing here today and saying that his leader has been consistent and his party has been consistent. Yes, they were consistent in St George-St David, but when it came to Victoria-Haliburton they did a complete flip-flop. I really question the credibility of their leader when he can flip-flop so dramatically from by-election to by-election when it's politically convenient to do so.

Mr Ernie L. Eves (Parry Sound): I was not going to partake in this debate, but I cannot resist rising to the comments made by the member for Ottawa West.

Mr Chiarelli: Talk to the quote.

Mr Eves: I think he would like to differentiate between a quote of a former Conservative candidate—

Mr Chiarelli: It's Mike's quote.

Mr Eves: It's not a quote of Mr Harris. You, sir, are lying. Is that clear enough for you? Retract that remark. It is not a quote of Mr Harris's; it is a quote of a former Conservative candidate. There is a difference.

The Deputy Speaker: The member for Parry Sound, order.

Mr Chiarelli: It's from a letter written by your leader.

Mr Eves: That, sir, is a deliberate misrepresentation of what Mr Harris said. You are lying.

The Deputy Speaker: Please take your seat.

Mr Eves: I will not withdraw that remark unless he withdraws the lie.

Interjections.

The Deputy Speaker: Order.

Mr Robert V. Callahan (Brampton South): Is this your fallback plan?

Mr Eves: This is totally unplanned. This is a response to a lie from the member for Ottawa West. I would ask him to withdraw his lie and I'll withdraw the "lying" remark.

The Deputy Speaker: Order. The member for Parry Sound, I would ask you to withdraw your remark.

Mr Eves: I will withdraw my remark when the member for Ottawa West withdraws his lie.

The Deputy Speaker: The member for Parry Sound, I ask you to withdraw explicitly.

Mr Eves: Mr Speaker, I have never, ever been placed in this position in my 13-plus years in this Legislature, but I cannot sit here and allow the member for Ottawa West to deliberately misrepresent and lie with respect to what my leader said, because he didn't say it. It was a former Conservative candidate.

The Deputy Speaker: The member for Parry Sound, if you do not withdraw your remark, I have no other alternative than to ask you to leave this House. Will you withdraw?

Mr Eves: No, I will not.

The Deputy Speaker: Please, Sergeant at Arms.

Mr Eves left the chamber.

The Deputy Speaker: Further questions or comments?

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): I'm hoping to be able to speak to this bill at some length a little later, but right now I want to remind people of what the Attorney General said when she spoke.

I listened carefully, as I noticed everybody did at that time. People listened with respect to what she had to say. I am personally bothered by what's happening in this House. I see other people from all sides shaking their head. I would ask that we try to maintain our dignity and do as the Attorney General asked and listen with respect to—

Mrs Marland: Madam Minister, if you are talking about who is out of order, the member for Downsview accused me of—

Hon Ms Churley: This is my two minutes. What I would ask people to do is to listen with respect to what everybody has to say. I think this is an important issue to a lot of people not only in this House but who may be watching this on TV or in the galleries. I think we're doing a disservice to ourselves on all sides of the House to get into this form of debate.

Interjections.

Hon Ms Churley: I would really ask, as people continue to yell, to remember that we are discussing the lives of people who are affected by this right now as we talk. I personally don't care that much what the Liberals

said in the past. I don't care what the Tories said in the past. What I care about today is that people listen to each other and what we do as a group here in this room for the people of Ontario for whom this bill means so much. What the final vote is, is what matters now, so I would ask people to please listen to each other with respect.

The Deputy Speaker: The member for Willowdale, you have two minutes to reply.

Mr Harnick: This is undoubtedly one of the most, probably the most, emotional issue that we as a Legislature will deal with. What makes it even a more emotional issue is that people make promises along the way. They make promises, and people depend on those promises.

Our party made no promises. We had a candidate who ran and who was encouraged to do what she believed in, and in our party, we have the latitude to do that. Evidently, in the Liberal Party and in the New Democratic Party, they don't have the latitude to do that.

I can appreciate that the member for Ottawa West is excited and this is an emotional issue. He's excited because he's seen his leader make a change and adopt a position that he can now live with for political, expedient purposes. That is exactly why the member is so full of vinegar today, to be polite. That is exactly why he is excited, because he sees the change in Liberal Party policy as something that will help him get elected, and he forgets the commitment that was once made.

The politics involved in this are dependent upon the promises that people made. My party made no promises along the lines of the Liberal Party.

Mr Malkowski: On a point of privilege, Mr Speaker: I would like to say that the member refused to answer my specific questions I had posed to him regarding representation of large businesses that are currently—

The Deputy Speaker: Please take your seat. No, this is not a point of privilege.

Any further debate?

Hon Frances Lankin (Minister of Economic Development and Trade): I appreciate the opportunity to be in the Legislature today and to have listened to those who have preceded me in the debate and to join in this debate.

There have been many important bills we have had the opportunity to deal with in this House, some which have been of great importance to me, and I have always felt honoured to be able to participate in the democratic process in this way. But I suspect there are many days in which the debates that take place are framed in partisan political ways that really are scoring points and trying to get the 30-second clip, which is something I've never been very good at, getting something said short enough in terms of getting a 30-second clip—

Interjection: Three minutes.

Hon Ms Lankin: Yes, three minutes, let alone 30 seconds. But I feel an import to the discussion today that goes beyond some of the games-playing that goes on in here. Perhaps it's because of the importance of this issue to me personally and how deeply I feel about it and how long I have felt that it is important that we arrive at a point in the province of Ontario where we can pass legislation such as this.

Of course, I express my support for the Attorney General's bill and my hope that through the course of debate and committee hearings we will be able to win enough support of enough members in this House to pass this legislation.

As members speak to what is actually being proposed in the legislation, it's important, I think, that we underline what the actual amendments are. I speak in particular in response to the member for Willowdale, who just spoke, who I think on a number of occasions talked about this as being a change to the definition of "marriage."

That invokes a certain response in some parts of the population when they think about marriage. I don't know the history of marriage, but I know as I've grown up I've thought of marriage as something that takes place usually in the confines of a church and of a religious commitment and a religious ceremony.

1740

I think it is important that although we have statutes that govern marriage, we understand that those statutes are in fact at a federal level and that nothing in the legislation coming forward is actually changing the institution of marriage. What it is trying to do is to bring about an end to discrimination in how families are treated and how couples who are devoted to each other, who are together in common-law relationship outside of the federally sanctioned or church-sanctioned marriage, are treated in our society. It's a bringing of equity to that situation.

Specifically, I want to go through what the reforms are, and I hope that every member who speaks to this will articulate it again, because we are engaging in a discussion among ourselves but in a discussion for the public of Ontario in which, through the honest debate of these issues, we put them forward and we are able to educate people and understand and engage them in the discussion and then gauge their response. We can't gauge public response if we don't have the real issues out there.

I urge all of us to put out in all of our discussions what the actual amendments are, and I'm going to take a moment just to go through what the amendments attempt to achieve. Then I want to speak to my own personal feelings about them and discussions I've had with people in my constituency and others in the province and why I support these particular amendments.

The reforms that have been put forward before us for second reading today, first of all, eliminate discrimination. They provide same-sex couples with rights and obligations equal to those of opposite sex common-law couples. That is the equation we have to continue to keep in our mind as we go through this debate and look at these amendments. Specifically, the reforms will eliminate discrimination against same-sex couples by amending the interpretation of all provincial laws which provide the benefits and the obligations or the rights that are based on that spousal status of being an opposite-sex common-law couple.

Specifically, I underscore again, these amendments do not address the issue of marriage, as has been alluded to a number of times outside the House and in the House in

the debate even today. It does not deal with the issue of marriage. That is an area of federal jurisdiction. We couldn't change it if we wanted to, but that is not what we're attempting to establish by the amendments being brought forward here.

Specifically, these reforms will provide equal rights on survivors' pensions for same-sex couples, people who live together. Currently, if one spouse dies there is a survivor's benefit that is in a pension plan. Couples of the same sex are not granted the same rights under our laws because our definition of that spousal benefit is defined in heterosexual terms.

If you have a loving couple living together, who have been together for years, as a couple in my riding have just recently experienced—and one partner died and I attended that funeral. It was terribly moving, sitting down afterwards with the surviving spouse to understand all of the barriers that he faced, the problems he had had in attending at the hospital, the problems he had had in offering his advice about what his partner would have wanted with respect to medical treatment, and then after suffering through the death of his partner knowing that things like inheritance and pension survival benefits, all of those things, were barriers to his proceeding with his life as he would if he were in a common-law relationship.

Specifically, these reforms will provide same-sex spouses with the option to enter into contracts with each other, to grant them the same property rights, the same way that opposite-sex common-law couples do. I keep stressing that equation because I want it to be understood: We are simply allowing the same situation that exists for opposite-sex common-laws to exist for same-sex couples.

The last area is a change to the conflict-of-interest laws that would require disclosure. If you think for a moment, all of us in this House, who are subject to conflict-of-interest laws, must disclose the business interests of our spouses if we are involved in a heterosexual relationship, either married or common-law. But there is no obligation on us, if we are involved in a relationship and part of a same-sex couple, to disclose the business obligations or interests or assets of our partner because, by definition in the conflict of interest, the commitment or the obligation to disclose assets of your spouse is subject to the definition, a heterosexual definition. So there are reasons that we should proceed on all of these fronts.

I do need to respond, particularly on the conflict of interest, to something that the member from Willowdale said. He found it odd that we would in those amendments build in some protection for privacy rights of couples by saying that it would be all household members who would have to disclose under conflict of interest, so that if there was an individual who was involved in a relationship with a partner of the same sex, they would not be forced to disclose that relationship. They would be forced to disclose the assets of the person living in the household with them but would not be forced to disclose that relationship.

The member opposite was surprised by that and said: "If you want to take this, you've got to go the whole nine yards," I think were his words. "You've got to go for it all. If you're going to force through these kinds of

changes to give recognition to alternative families in our society, then you've got to go all the way."

I'll tell you, there's a very good reason for not going all the way with respect to the conflict of interest, and that is the fact that people who are involved in same-sex couples, homosexuals, gays, lesbians, are still subject to extraordinary discrimination in our society. You cannot turn a blind eye to that fact. You cannot just say you must force that disclosure.

I hope we arrive at a day when there won't be a question about needing to guard the privacy of individuals, but I will fight to ensure that individuals have that right of privacy and choice about whether to disclose their sexual orientation because in this society, in this province, in this country, on this continent, gays and lesbians are not free from persecution.

The oppression is still there, the discrimination is still there. The steps we are taking are steps that build on very important initiatives like the addition of sexual orientation to the Human Rights Code, steps that build towards ending that discrimination, but it's not over yet and it won't be over yet with this legislation. But, boy, this is important for us to take these next steps.

Much of the discussion with respect to this bill from those who have spoken in opposition have talked about it as being a threat to the traditional family. I'm not sure I understand that. Perhaps we all have the same understanding of traditional family, and I'd like to ask people to explain what they mean by that.

Is a traditional family, as in some ethnoracial communities I know, a family in which children and parents and grandparents and aunts and uncles live together and are supportive and it's a large, loving family unit and people give and share and have joint responsibilities in the care for their children of their family? Is a traditional family the more North American nuclear family, two parents and the children? Is that the traditional family?

There are many other kinds of families which, as time goes on and there is more experience, it has perhaps become quite traditional to find in our society as well. There are single-parent families, either by choice or by circumstance; perhaps a spouse has died. Is that no longer a traditional family? If my spouse has died, are my children and I not defined as traditional any more? Or is traditional being put forward in the view of a heterosexual traditional family, that there must be a male and a female to have come together in a couple? Or is traditional being put forward in the way in which elders in my family viewed traditional families as those being married, officially sanctioned by the state or the church, not a common law?

1750

I remember a time in my family in which living in a common-law relationship was totally, totally viewed with disdain and brought such emotional turmoil to the family discussions that it's hard to believe today, in today's society, that this could have happened, but it did.

So I have to ask people to push this image of traditional family in the words and step behind the words or fold, unfold the covering of those words and tell me what

it is they're talking about.

I was once married. I was once in a common-law couple relationship for more years actually than I was married. I'm now single. I have a family that I define as my family. How can anyone else define for me what is a traditional family?

I look to my friends, and I have friends who are part of my view of the world of families that I interact with, and some of those family friends are gays and some of them are lesbians who are raising children, who are in family units, who are my friends, and I fiercely, fiercely want to defend their rights. I want to work to ensure that all of us take the steps necessary to defend their ability to be a family unit. I want to give you a couple of examples.

Someone mentioned that this issue wasn't on the political map until the by-election in St George-St David. Well, not so; not even in terms of this legislative sitting is that so.

When I was first appointed to cabinet and I held the portfolio of Chair of Management Board, I brought forward and introduced in a statement in this Legislature change to the benefit provisions in the Ontario public service to deal with the 90,000-plus employees of the Ontario government, to bring about a change in provision of benefits so that same-sex couples would no longer be discriminated against and would be able to take part in the benefit plans on the same basis as opposite-sex, common-law couples.

I got a picture sent to my office. It was drawn by a child of about the age of 10 or 11, I'm guessing. I should know; I know the child. I think she was about 10 or 11 at the time. It was eyes and a big smile and teeth, and on the teeth were shiny silver braces. This picture, from a young girl named Jessie, was her showing how she was going to be looking in a month down the road because she was finally going to be able to get braces because of the change in the benefit package that we made.

Her parents are two of my close women friends, one of whom is her natural mother, who was pursuing further education and not in employment that offered the kind of benefit package that government employees have. Jessie's natural mother's partner, whom Jessie views as one of her parents, always has—she's been there since Jessie was born and helped raise Jessie as an equal partner, an equal parent—works for the Ontario government, but in the past her benefits and benefit package weren't available to her partner or to her two daughters. Today they are.

This issue has been around longer than this bill coming forward or longer than the St George-St David by-election. Quite frankly, given the steps that the previous Legislature took with respect to the Human Rights Code, we know this is an issue that is growing and that public awareness is growing and that the time is coming for us to make the next steps, and together I hope we will define what those next steps are.

Other friends of mine, again two close women friends, have a son. The son's about nine. They have been the two parental figures in that son's life for all of his life. One of my women friends is the natural mother. My

other woman friend can't take legal steps to ensure that if anything ever happened to her partner, the son's natural mother and therefore legal parent—she is without any power to take legal steps to ensure that if anything ever happened to that legal parent, she would be the continuing legal guardian of that child.

She has been that child's parent for nine years. This is not going out and applying to adopt a child and bring a child into this family. She is that child's parent, and the law prohibits her from being the legal parent. It's wrong.

Someone asked, "What does your community say?" In our communities, our neighbours, our relatives—we know, all of us, gays and lesbians and parents of gays and lesbians or sisters and brothers of gays and lesbians, who want to see their family members or their neighbours treated the same as everyone else in terms of the rights and benefits and obligations that we, as a state, provide to people. These are taxpayers, these are citizens. Why should they be disfranchised in any way based on their sexual orientation, which is already grounds against which you cannot discriminate in this province? Why should we perpetuate the discrimination?

This bill does not change the institution of marriage as we know marriage in the state of the church and the religious meaning behind that. We perhaps did that a long time ago when we accepted, as a society, common-law marriages. We've got to come to the point where we can come to terms with taking this next step.

What does the community say? I think the community needs to debate this. I think the community needs to hear in clear, honest terms what the issues are and what the amendments actually are. I think different communities will respond in different ways. It's important that this bill move through to public hearings so that the community can in fact participate. It would be dreadfully wrong if we stopped the debate before it got to that point by the way in which we vote in this House.

One of the things I feel very strongly is that there are sometimes issues that come before us as legislators on which we must take a stand based on what we truly believe is just right, the right thing to do. Even though we go out and we talk to our communities, engage our

communities, defend our beliefs and principles and our actions with that community, sometimes I think we just have to take these positions and move forward.

I think of the debates over the years in legislatures, particularly the federal Parliament, with respect to capital punishment. When that issue came forward, I know the number of times in my own community when the phones would ring to the federal member of Parliament and to the provincial MPP in their constituency offices, overwhelmingly supporting capital punishment at that point in time because of the mood of the nation at that time or the issues or a particular heinous crime that had provoked the debate.

But thank God that legislators of the day—and there have been several days—time and time again have searched through the issue and have worked through it with people close by them and found the support to go out and to take the position that they believed was the right position, irrespective perhaps of what the community might have been saying at that point in time.

I actually believe that there are many people in our community of Ontario, if we engage in this discussion and they see the actual amendments and we work it through with them and we speak about it and we allow people to be heard and we talk it through, many, in fact I think the majority, who will support taking this step at this time.

It's tough to get there. Yes, it invokes a lot of emotional response, and sometimes when words like "marriage" and others are mixed into it, it's hard to get to the clear picture. But I believe the majority of people will support this, and I would hope we will take this to the second reading public hearing debate in order to hear from people and to be able to engage people in that debate.

There are a number of other points that I wish to make in this debate, but as we have arrived at 6 of the clock, I will simply at this point in time adjourn the debate.

The Deputy Speaker: It being 6 of the clock, this House stands adjourned until 10 of the clock tomorrow morning.

The House adjourned at 1801.

ERRATUM

No.	Page	Column	Line	Should read:
133	6463	2	26	\$50.643 billion; interim 1993-94, \$50.880 billion."

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

Administration of Justice/Administration de la justice

Chair/Président: Rosario Marchese
Vice-Chair/Vice-Présidente: Margaret H. Harrington
Zanana L. Akande, Gilles Bisson, Robert Chiarelli,
Alvin Curling, Christel Haec, Charles Harnick,
Gary Malkowski, Tim Murphy, David Tilson,
David Winninger
Clerk/Greffière: Donna Bryce

Estimates/Budgets des dépenses

Chair/Président: Cameron Jackson
Vice-Chair/Vice-Président: Ted Arnott
Donald Abel, Gary Carr, Noel Duignan, Murray J. Elston,
Derek Fletcher, Pat Hayes, Wayne Lessard,
Steven W. Mahoney, David Ramsay, Jim Wiseman
Clerk/Greffière: Tonia Grannum

**Finance and economic affairs/
Finances et affaires économiques**

Chair/Président: Paul R. Johnson
Vice-Chair/Vice-Président: Jim Wiseman
Elinor Caplan, Gary Carr, W. Donald Cousens,
Karen Haslam, Norm Jamison, Monte Kwinter,
Wayne Lessard, Irene Mathysen, Gerry Phillips,
Kimble Sutherland
Clerk/Greffière: Lynn Mellor

General government/Affaires gouvernementales

Chair/Président: Michael A. Brown
Vice-Chair/Vice-Président: Hans Daigeler
Ted Arnott, George Dadamo, Bernard Grandmaître,
David Johnson, George Mammoliti, Gordon Mills,
Mark Morrow, Gregory S. Sorbara, Paul Wessenger,
Drummond White
Clerk/Greffier: Franco Carrozza

Government agencies/Organismes gouvernementaux

Chair/Présidente: Margaret Marland
Vice-Chair/Vice-Président: Allan K. McLean
James J. Bradley, Jenny Carter, John C. Cleary,
Alvin Curling, Robert Frankford, Margaret H. Harrington,
Gary Malkowski, George Mammoliti, Daniel Waters,
Elizabeth Witmer
Clerk/Greffière: Lynn Mellor

Legislative Assembly/Assemblée législative

Chair/Président: Ron Hansen
Vice-Chair/Vice-Président: Paul Wessenger
George Dadamo, Paul R. Johnson, Ellen MacKinnon,
Irene Mathysen, Carman McClelland, Gilles E. Morin,
Norman W. Sterling, Barbara Sullivan, Kimble Sutherland,
Noble Villeneuve
Clerk/Greffière: Lisa Freedman

Ombudsman

Chair/Président: Tony Rizzo
Vice-Chair/Vice-Président: Gary Wilson
Donald Abel, Zanana L. Akande, Mike Cooper,
Karen Haslam, D. James Henderson, Tony Martin,
Frank Miclash, Bill Murdoch, David Ramsay,
Chris Stockwell
Clerk/Greffier: Todd Decker

Public accounts/Comptes publics

Chair/Président: Joseph Cordiano
Vice-Chair/Vice-Président: Dianne Poole
Gilles Bisson, Robert V. Callahan, Bruce Crozier,
Robert Frankford, Rosario Marchese, Margaret Marland,
Larry O'Connor, Stephen Owens, Anthony Perruzza,
David Tilson
Clerk/Greffier: Todd Decker

**Regulations and private bills/
Règlements et projets de loi privés**

Chair/Présidente: Christel Haec
Vice-Chair/Vice-Présidente: Ellen MacKinnon
Ron Eddy, Derek Fletcher, Ron Hansen, Pat Hayes,
David Johnson, Leo Jordan, Gordon Mills, Hugh O'Neil,
Anthony Perruzza, Tony Ruprecht
Clerk/Greffière: Tonia Grannum

**Resources development/Développement des
ressources**

Chair/Président: Bob Huget
Vice-Chair/Vice-Président: Mike Cooper
Sean G. Conway, Joan M. Fawcett, Leo Jordan, Paul
Klopp, Sharon Murdock, Steven Offer, David Turnbull,
Daniel Waters, Gary Wilson, Len Wood
Clerk/Greffière: Tannis Manikel

Social development/Affaires sociales

Chair/Président: Charles Beer
Vice-Chair/Vice-Président: Ron Eddy
Jenny Carter, Dianne Cunningham, Randy R. Hope,
Tony Martin, Dalton McGuinty, Larry O'Connor,
Yvonne O'Neill, Stephen Owens, Tony Rizzo, Jim Wilson
Clerk/Greffier: Douglas Arnott

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

CONTENTS

Wednesday 1 June 1994

MEMBERS' STATEMENTS

Water quality	
Mr Bradley	6553
Aga Khan Foundation	
Mr David Johnson	6553
Grape and wine industry	
Ms Haack	6553
Injured workers	
Mr Crozier	6553
Vehicle safety	
Mr Murdoch	6554
Senior Citizens' Month	
Mr White	6554
Clean Air Campaign	
Mr Offer	6554
Amiotrophic lateral sclerosis	
Mr Tilson	6555
National Access Awareness Week	
Mr Malkowski	6555

ORAL QUESTIONS

Justice system	
Mr Elston	6558
Mrs Boyd	6558
Air quality	
Mr Offer	6559
Mr Rae	6560
Spousal benefits legislation	
Mr Eves	6560
Mr Charlton	6561
Long-term care	
Mr Jackson	6561
Mrs Grier	6561
TVOntario headquarters	
Mr Phillips	6562
Ms Swarbrick	6562
International trade	
Mr Sterling	6563
Mr Rae	6563
Economic development	
Mr Gary Wilson	6564
Ms Lankin	6564
Employment equity	
Mr Curling	6564
Ms Ziemba	6564
Native land dispute	
Mr Eves	6565
Mr Philip	6565
Scarborough Bluffs conservation	
Mr Frankford	6566
Mr Hampton	6566

Assistance to farmers

Mrs Fawcett	6566
Mr Buchanan	6566
Developmentally disabled	
Mrs Marland	6567
Mr Silipo	6567

PETITIONS

Kettle Island bridge	
Mr Morin	6567
Landfill	
Mr Tilson	6567
Sexual orientation	
Mrs MacKinnon	6568
Mr O'Neil	6568
Mr Hodgson	6568
Mr Henderson	6569
Mr Murdoch	6569
Mr North	6569
Ms Murdoch	6569
Mr Poirier	6569
Mr Sutherland	6570
Mr Wiseman	6570
Tobacco packaging	
Mrs Haslam	6568
Mr Tilson	6570
Junior kindergarten	
Mr Amott	6569
Firearms safety	
Mr Ramsay	6570

REPORTS BY COMMITTEES

Standing committee on regulations and private bills, Ms Haack	
Ms Haack	6570
Report adopted	6570
Standing committee on administration of justice, Mr Marchese	
Mr Marchese	6570
Report adopted	6571

FIRST READINGS

Donation of Food Act, 1994, Bill 170, Mr McGuinty	
Mr McGuinty	6571
Agreed to	6571
Crown Forest Sustainability Act, 1994, Bill 171, Mr Hampton	
Mr Hampton	6571
Mr Brown	6571
Mr Hodgson	6571
Agreed to	6572

SECOND READINGS

Equality Rights Statute Law Amendment Act, 1994, Bill 167, Mrs Boyd	
Mrs Boyd	6572
Mrs McLeod	6578, 6580
Mr Malkowski	6579, 6584
Mr Silipo	6579
Mr Mammoliti	6579
Mr Marchese	6579
Mr Harnick	6580, 6585
Mr Chiarelli	6584
Mr Eves	6584
Ms Churley	6585
Ms Lankin	6585
Debate adjourned	6588

OTHER BUSINESS

National Access Awareness Week	
Mrs Marland	6555
Mr Elston	6555
Mr Malkowski	6556
Mr Curling	6556
Member's privilege	
The Speaker	6557
Mr Turnbull	6558
Erratum	6588

TABLE DES MATIÈRES

Mercredi 1 juin 1994

PREMIÈRE LECTURE

Loi de 1994 sur le don d'aliments, projet de loi 170, M. McGuinty	
Adoptée	6571
Loi de 1994 sur la durabilité des forêts de la Couronne, projet de loi 171, M. Hampton	
Adoptée	6571

DEUXIÈME LECTURE

Loi de 1994 modifiant des lois en ce qui concerne les droits à l'égalité, projet de loi 167, M^{me} Boyd	
Débat ajourné	6588



No. 137

N° 137

ISSN 1180-2987

Legislative Assembly of Ontario

Third Session, 35th Parliament

Assemblée législative de l'Ontario

Troisième session, 35^e législature

Official Report of Debates (Hansard)

Thursday 2 June 1994

Journal des débats (Hansard)

Jeudi 2 juin 1994



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers

50th anniversary

1944–1994

50^e anniversaire

Hansard is 50

Hansard reporting of complete sessions of the Legislative Assembly of Ontario began on 23 February 1944 with the 21st Parliament. A commemorative display may be viewed on the main floor of the Legislative Building.

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats a 50 ans

Le reportage des sessions intégrales de l'Assemblée législative de l'Ontario, fait par le Journal des débats, a commencé le 23 février 1944 avec la 21^e législature. Une exposition pour marquer cet événement est étalée au premier étage de l'Édifice du Parlement.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 2 June 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 2 juin 1994

The House met at 1002.

Prayers.

PRIVATE MEMBERS' PUBLIC BUSINESS

RACE TRACKS TAX AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT LA LOI DE LA TAXE SUR LE PARI MUTUEL

Mr Eves moved second reading of the following bill:

Bill 130, An Act to amend the Race Tracks Tax Act / Projet de loi 130, Loi modifiant la Loi de la taxe sur le pari mutuel.

The Deputy Speaker (Mr Gilles E. Morin): Pursuant to standing order 96(c)(i), the honourable member has 10 minutes for his presentation.

Mr Ernie L. Eves (Parry Sound): Thank you, Mr Speaker. The purpose of the legislation, as you can see, is rather short. The purpose of the legislation is to reduce the amount of tax charged to the horse racing industry on parimutuel wagering in the province of Ontario.

Shortly put, there are now established by the act two rates of taxation: one of 9% on triactor bets and one of 7% on other parimutuel betting in the province of Ontario. The amendment that I am proposing to the Race Tracks Tax Act, which I must admit is a mouthful, would reduce that rate of taxation to one half of 1%, which would be, I think, in line with other jurisdictions that have the same amount of gambling or gaming revenue that the province of Ontario now has.

I would like to start by explaining, I think, for a lot of people that when the horse racing industry first came into being in the province of Ontario, it had a virtual monopoly on gaming, or gambling, in the province. When the rates of taxation were established that are currently in the Race Tracks Tax Act, it was done on the assumption that the horse racing industry represented 100% of gaming, or gambling, in the province of Ontario.

As we all know, that has changed dramatically over the years. With the advent of lotteries, some of which a government that I was part of brought in, and successive governments brought in additional ones, with the advent of charitable gaming, with the advent of sports lotteries now, or Sport Select, or Pro Line, whichever you'd like to call it, and now ultimately casino gambling, the horse racing industry has found that its share of the gaming dollar in the province has been reduced to somewhat less than 24%. I am here to predict that it's about to go even lower with the advent of casino gambling in the province.

I think there are a lot of things also that some people don't understand. In 1993, at some 19 racetracks across the province of Ontario of various kinds and descriptions, the income from across the province amounted to about \$1.025 billion, roundly put, which is a lot of money. The province of Ontario takes out of that, by way of taxation,

approximately—I'm rounding these figures off—\$75 million a year. The government ends up retaining about \$50 million a year, because through various programs it puts back into the horse racing industry approximately \$25 million.

I want to make it clear, because there seems to be some uncertainty or lack of clarity among some groups in the horse racing industry itself: That money is not refunded to the horse racing industry by the Race Tracks Tax Act. There is nothing in this bill or nothing in the original act, which I have in front of me, or the regulations to the act that provide for one cent going back to the horse racing industry. It is done by order in council every year by the provincial government. In other words, the cabinet of the day decides every year how much money it wants to put back into the horse racing industry through various forms and programs.

My proposal would allow the horse racing industry to keep approximately \$70 million a year, as opposed to the \$25 million that now goes back in. I'm proposing that the horse racing industry be permitted to keep \$70 million a year to divide up among the various groups. If the various groups aren't able to come to some mutual agreement as to how that should be done, then the government can do it by order in council, it can do it by regulation, it can help the parties resolve their differences, if there are any, with respect to negotiation as to how that could be split up.

I would like to briefly go over comparisons to other jurisdictions of the amount of tax that the province of Ontario charges versus other provinces and other North American jurisdictions. In Ontario we are the highest-taxed in the horse racing industry. We are at some 5%. That is the net effect of the two taxes after the rebates are taken into account. Most provinces are somewhere in between. The province of Alberta is 0.76%, three quarters of 1%, and other provinces beyond that vary from 1% to 3.6%. If you want to compare that with the North American average, the North American average is about half of what we are charged in the province of Ontario, ranging all the way from zero—like no tax in the state of New Jersey—to about 4.5%, depending on the type of bet, in the state of Michigan.

I also would like to outline for several members, because they may not be aware, that the horse racing industry is very important to the agricultural industry in Ontario as well. Directly, the horse racing industry accounts for some \$350 million a year in absolute, direct moneys into the agricultural industry, but there are indirect benefits to the agricultural industry in the amount of \$2.2 billion a year. Those are big numbers, and they're very significant to the agricultural industry in Ontario.

As a matter of fact, I had a meeting about two weeks

ago with Roger George, the president of the Ontario Federation of Agriculture, who is fully supportive of my bill, who recognizes that the horse racing industry is in serious jeopardy and he would like to see this bill passed or, if not this bill, some bill that would dramatically reduce the amount of tax that is charged to the horse racing industry, because he feels that agriculture is also threatened. The horse racing industry accounts for about 6% of total agricultural expenditures every year in the province of Ontario. It also is responsible for, depending on whose figures you want to use, anywhere from 28,000 to 50,000 employees across the province who are directly or indirectly affected by the horse racing industry.

1010

I also would like to talk for a couple of minutes about the rate of taxation that the province of Ontario is charging on other competing forms of gaming. Of course, the province itself is into a lot of different forms of gambling, and I've mentioned some of them. It's estimated by the Ontario Jockey Club that the advent of Pro Line sports, when Greenwood Race Track was in operation, resulted in a decline of 7% of the handle or betting at Greenwood alone just because of Pro Line sports betting that the province introduced.

The province, when it taxes its new casino—which recently just opened, as I am sure most members are aware, in Windsor—says that it is taxing at a rate of 20%, but that is a misnomer. I will explain how that taxation system works. What they do is take a rate of 20% and multiply it times the win, or percentage amount that is the win, in a particular game. So if it was blackjack—I think it's generally established across North America that where we have casino gambling, blackjack gaming returns 1.2% to the operator—therefore, you multiply 20% times 1.2% and the effective rate of taxation that the province has on blackjack at its own casino in Windsor is 0.24%, less than one quarter of 1%. And yet they're saying to the horse racing industry: "We're going to tax you 9% and 7% and we're going to be nice guys; we're going to give you back 2%." But they're effectively taxing them at a rate of 5%, or about 20 times what they tax themselves on blackjack games in their new casino in Windsor. That is not fair.

The horse racing industry wants a fair shake. They want to be put on a level playing field. They want to have the same opportunities that the province is giving to its own casino and its own forms of gambling.

I would like to refer to a 1990 report for the Ontario Horse Racing and Breeding Association done by the firm of Ernst and Young. Back in 1990, long before casino gambling—in fact, when Bob Rae was still saying that there will never be casino gambling in the province of Ontario—the horse racing industry was asking that this tax be reduced from an effective rate of 5% to 2% and that the reduction be equally shared among the industry. That is the same thing that I am asking for today, except I am asking for a more realistic rate of one half of 1%. I will be making other remarks further on when I have an opportunity to wrap up later and I'd appreciate hearing what other honourable members have to say about this bill.

Mr Kimble Sutherland (Oxford): I'm pleased to rise to speak towards Bill 130, the bill introduced by the member for Parry Sound. Let me say I am glad to see that the member for Parry Sound is a little calmer today and has gotten over some of his acts of yesterday and is respecting the rules of this House today.

I understand where the member is coming from in terms of introducing this bill, in terms of a sense of what he feels he is doing in the best interests of the horse racing industry. Let me say that the horse racing industry does play an important part in the economy of the province of Ontario, not only the economy in general, but particularly in the agricultural economy, in the rural economy. Most of us, as rural members, particularly in southern Ontario but I know in central Ontario and in some parts of the north as well, have people who raise horses to compete in races.

The member is trying to put forward what he feels is an effective solution to what is perceived as a problem of too much taxation in the industry. Let me say, though, that not everyone in the horse racing industry agrees with the legislation as it has been put forward.

I had an opportunity this morning to have a bit of a chit-chat with Steve Klugman, who is the general manager of the Horseman's Benevolent and Protective Association of Ontario. They're very actively involved in the horse racing industry and represent a lot of breeders and trainers. They had some concerns, particularly about what the impact of this amendment would mean on the racetrack industry currently.

I guess it's important to note that the impact of the bill Mr Eves has put forward implies that the rebate program would go by the wayside. So the approximately 2%, 2.5% rebate that's there for racetrack improvement and for increasing some of the prizes in the races would also go by the wayside as a result of this bill. This would take a great deal of money out of the industry, millions of dollars and in some cases tens of millions of dollars. They believe at this time that would have a very negative impact on the horse racing industry in terms of smaller pools.

Mr Eves: Maybe we should increase the tax. They could have a bigger rebate.

Mr Sutherland: The member for Parry Sound says, "Increase so you have a larger rebate."

We're often told about listening to the different groups out there. I'm just presenting what has been expressed I know in written form to the member for Parry Sound, to the leaders of all three parties, to the Minister of Consumer and Commercial Relations and also the Minister of Finance, and through the conversation I had this morning with Mr Klugman. I also understand that they're not the only organization that is concerned about this. I understand even a former colleague of the member for Parry Sound has some concerns about this piece of legislation.

Let me say, though, that the government is committed to supporting the horse racing industry, and that has been demonstrated through different means. I think of the tremendous effort by the industry, the Ministry of Consumer and Commercial Relations and the minister

herself, who I know personally went to Kentucky to lobby with the jockey club to help bring the Breeder's Cup race to Ontario. As part of that is our commitment to upgrading some of the racetracks associated with that very significant event that will bring worldwide attention to racing in Ontario and the facilities that we offer. Those types of supports are in place.

We do know as well that the third party says, "Yes, if you just reduce all the taxes, everything's going to be fine and dandy." We know their economic model is a little flawed, or I should say substantially flawed, in terms of what impact that will have on the deficit.

The government certainly is committed to continuing to work with the horse racing industry. I did just want to point out, though, that there are a couple of organizations that do have some serious concerns about the way this legislation has been put forward.

Mr Ron Eddy (Brant-Haldimand): It's a very important matter and I rise in full support of the bill until such time as the present government comes in with some better solution or indeed a very firm and strong support for an industry that is in trouble and that is so important in this province.

I'm disappointed that the member for Oxford didn't come forward with some suggestions to replace the bill that's being presented and that we are presently debating, because I think it's very necessary to take some strong and firm action and to take it now.

It's very important because it doesn't just affect the horse racing industry, which is a very large industry, and I have some facts about that which I'd like to submit, but it affects so many jobs: at the racetrack, on horse breeding farms, horse training farms and indeed the family farms as well. Agriculture of course has a real market with the horse industry in all phases. It's a very important part of the whole thing because it does mean a market for hay and grain etc.

1020

I have two important facts that I want to stress. One is that the citizens of Ontario, the taxpayers who pay us and the cost of operating this establishment and the provincial government, demand, in addition to law and order, responsive, responsible government, and I call on the government to be responsive in this case, to look at the matter and bring in some changes that will help. That's why I'm supporting this bill.

The horse race industry is in trouble, there's no doubt about it, so let's respond; let's do something before it goes down and we see a lot more problems. Now is the time to act. I'd go as far as to state that failure by the government to support this bill, or indeed some strong replacement for it, to amend the Race Tracks Tax Act, to reduce it substantially, will be seen as another attack on agriculture and the family farm, and I feel that, along with many others.

We've seen many attacks on agriculture and the family farm by this government such as unionization of farm workers, although the bill has not been passed but it is presently under debate; reduction of the annual budget of the Ministry of Agriculture, Food and Rural Affairs every

year since the government has taken office; and cancellation of the very successful and important red meat program in this province. Those are some things.

There is an opportunity to do something at this present time that is so important for the horse racing industry. The figures I have that have been compiled advise that the industry contributes \$2 billion to the economy of Ontario annually. The industry requires \$350 million in feed, hay, straw and local services and provides a tremendous amount of jobs. It supports 50,000 jobs in Ontario, and that doesn't go on to include all of the jobs in the other industries that support that particular industry.

It's very important, it's crucial to support it, and I urge the government to either support this bill or replace it with something immediately that will substantially support the horse racing industry in this province. Thank you, Mr Speaker, for the opportunity to speak to the bill.

Mr Allan K. McLean (Simcoe East): I'm pleased to rise today and have a chance to put a few comments on the record with regard to private member's Bill 130. It takes a commonsense approach to an industry that is staggering under the weight of a massive tax burden.

Private member's Bill 130, An Act to amend the Race Tracks Tax Act, introduced by my colleague the member for Parry Sound on December 2, 1993, is aimed at reducing the tax on parimutuel betting to 0.5%. Currently the tax rate on triactor bets is 9% and is 7% on all other bets.

Ontario's racing industry is currently taxed at the second-highest rate in North America. That's completely unacceptable for an industry that has a \$2-billion economic impact annually.

Coupled with this excessive tax burden is the NDP government's decision to roll the dice with the economic wellbeing of the racing industry when it established casino gambling in Ontario.

The government decided to roll the dice and totally ignore what the economic impact would be to the racing industry. It is estimated to be more than \$2 billion, including \$500 million worth of salaries and wages for more than 40,000 full- and part-time workers; \$1.17 billion from suppliers, both direct and indirect; \$240 million worth of capital expenditures annually; \$240 million worth of spectator expenditures, and that does not include the \$889 million in wagering; and a \$50-million trade balance.

The tax burden on the racing industry includes \$3.2 million in sales tax collected at tracks; \$6.1 million in parimutuel tax collected at tracks; \$7.1 million worth of federal tax; and, not calculated, property taxes and the business taxes. So there is a major, major amount of dollars at stake here.

The horse breeding and racing industry is viewed as a resource industry that is labour-intensive. The employment base is primarily composed of unskilled, low-paying positions working on farms and in backstretch facilities at the racetracks. It is a widely held belief that due to the lack of skills and low education levels of many of these employees, social assistance programs would be their only alternative.

When the breeding and racing industries encounter a decline in purses, regardless of the cause, there would no doubt be an immediate reduction in employment levels. Substantial reductions would put the purses at a level that would not be financially viable or competitive with surrounding jurisdictions, and large owners would either leave the business or cater to the other market.

Breeding and racing farms are widely spread across the province of Ontario and play a significant role in our agricultural community. Some horse farms purchase feed, hay, straw and services locally, while others grow their own and rely on local farmers for assistance. The dollar value of this activity alone is estimated to be over \$350 million annually.

Funds generated in the racing program through purse winnings pay the costs of feed and stabling. Many local farmers depend on orders from breeding and racing operations to remain viable. Some feed mills rely almost entirely on a strong horse industry to stay in business.

Timber companies have a large volume of their businesses directed at the horse industry as a result of significant fencing requirements, and more recently many horse owners are utilizing large volumes of wood shavings from northern Ontario in their stalls.

I trust you will agree that by supporting private member's Bill 130, you will also be supporting employment and agriculture in Ontario.

In conclusion, I'd like to bring to your attention a letter I received just yesterday from Jane Hutchings, general manager of Barrie Raceway Holdings Ltd.

"I am writing on behalf of my board of directors and the horse racing community at Barrie Raceway to express our support for Mr Eves's Bill 130, An Act to amend the Race Tracks Tax Act.

"Racing in Ontario is taxed at the second-highest rate in North America, and the industry is staggering under this burden.

"In order for racing to compete on a level playing field with other forms of gaming which are taxed at a much more favourable rate, an amendment of this sort is necessary.

"This adjustment would be an investment by the government in an industry which employs almost 40,000 people in the province and which has a \$2-billion economic impact annually, a great deal of it in agriculture.

"Racing is most appreciative of the efforts of Mr Eves and yourself on our behalf, and we express our support of this initiative."

I urge my colleagues here today to join with the member for Parry Sound in investing in the future of an important industry by supporting Bill 130. I know many farmers in my area who sell hay, straw and grain to the Barrie Raceway. It keeps them in business. It is a viable industry going downhill because of the lack of enthusiasm of this government to take this tax off, and I would urge every member to vote for this bill.

Mr Noel Duignan (Halton North): Indeed I'm very pleased to speak on this bill here today which has been brought forward by the member for Parry Sound.

First let me take this opportunity to recognize the member's continued support of the horse racing industry in this province. Indeed, I had the pleasure of hearing him in this regard during the hearings on the casino bill, which was known as Bill 8 at that particular time.

However, there are major problems with this bill. As my colleague the member for Oxford pointed out, a former colleague of his has major problems with Bill 130, as well as a number of other organizations involved in the racing industry.

1030

Let me, for example, read a letter from the Horsemen's Benevolent and Protective Association of Ontario. It states:

"The livelihood of racing is the purse moneys paid to owners. A great part of the purse moneys since the mid-1970s has been provided through the Ontario thoroughbred improvement program by virtue of the Ontario government's rebating 2% of the provincial tax on parimutuel wagering back to the horsemen in the form of purses."

"A petition to the ministry in the mid-1980s for further government assistance to the industry was heard and the government rebated a further 2% of tractor wagering tax moneys back to the horsemen. This net 2.4% rebate to purses has been a boon to our industry and a blessing for our membership.

"Bill 130, as it currently reads, will eliminate this rebate. This would immediately result in an \$8-million loss to thoroughbred horses and a further loss of \$3 million in breeders' initiatives. As such, the HBPA of Ontario cannot support this bill in its present language.

"While the HBPA has been supportive of an industry-wide petition to government to reduce the tax on parimutuel wagering, it has always been our belief the present industry initiative programs must be maintained. Mr Eves's Bill 130 does not allow for this."

In fact, also a letter from the Ontario Harness Horse Association states in part:

"The Ontario Harness Horse Association is of the understanding that Bill 130 is receiving second reading in the House on June 2, 1994. The OHHA wishes to point out that it cannot support this bill as it currently is worded."

Again, the organization would like to go on record as supporting a bill which would reduce the government's tax on the mutual handling in Ontario. However, the bill would have to be worded in such a way as to ensure that sufficient taxes were retained so that the 2.4% government tax purse rebate to the horsemen throughout Ontario was indeed left intact. In fact, if this bill was ever to become law, most of the small horse racing tracks in this province would indeed be closed. The only people who would benefit from this particular bill would be the big boys such as the OJC and their tracks.

First of all, I would now like to talk a little bit about what our ministry has been doing to the horse racing industry in this province. As many of you know, the horse racing industry and the breeding industry in Ontario is a very important sector in this province's economy.

Horse racing in Ontario employs thousands in a labour-intensive industry providing an estimated 30,000 jobs in this province. This government is committed to maintaining a viable horse breeding and racing industry that continues to create jobs and contribute to the financial security of Ontario's agricultural community.

In the current economic climate government programs across the board are facing serious cutbacks or reductions. As well, as the member for Parry Sound well knows, the government's rebate program—again, the 2% racetracks tax-sharing agreement was one of the few major government programs that have been maintained untouched by this government. It is a clear demonstration of our continuing support for this industry.

Nevertheless, the horse racing industry continues to experience its fair share of tough economic times. In fact, there's been an appreciable impact on horse racing over the years with the introduction of lotteries as well as increased charitable gaming activities. Because of this increasingly competitive gaming environment, in November 1993 the Ontario government brought together groups representing various interests in the horse racing and breeding industry to help it develop an industry vision and short-term and long-term strategies to ensure that vision over the coming years.

By engaging in a sectoral strategy, all partners are committed to designing a strategy and work plan to ensure a viable and economically sound horse racing and breeding industry in the province, an industry that will be able to compete more effectively with other forms of entertainment. These groups within the industry have the knowledge and expertise about breeding and racing horses and the environment that is required to conduct this business very successfully. The government has the expertise to contribute to the partnership and we have a strong will to see the industry prosper and improve.

Over the past several months our ministry had the opportunity to meet and consult with a large number of stakeholders in this industry. Key players in the partnership include standardbred and thoroughbred breeders, owners, racetrack owners, managers and many other groups that have the long-term health of this industry at heart.

They have been assisted in their efforts by staff in the ministries of CCR, Agriculture, Food and Rural Affairs and Economic Development and Trade. Since February of this year, there have been three general workshops with the partners and a number of working group meetings. Tremendous gains have already been made and more are expected shortly.

As the ministry responsible for regulating the horse racing and breeding industry, we are proud, and proud of this government's record of supporting the industry in Ontario. We will continue to work to keep this industry viable and protect the jobs of tens of thousands of Ontario workers and we will do this through our continued participation with our partners in developing a very successful sector strategy.

As the member for Parry Sound pointed out, he indeed was correct when he talked about the 25% tax on the amount bet in the casino, but what he failed to mention

was that we also tax revenues at the rate of 20%, so it's like comparing apples and oranges. We also assist the racetracks, which we don't do in the casino industry.

Again, in conclusion, in our continued efforts of cooperation and partnership in this very important sectoral partnership we look forward to the support from the member for Parry Sound.

Mr James J. Bradley (St Catharines): I wish to rise in support of the bill put forward by the member for Parry Sound, because I think it's a bill that will assist an industry which is experiencing great difficulty at this time of June 1994.

Mr Eves and other speakers have mentioned on a number of occasions the importance of the horse racing industry to the province of Ontario. It's an existing industry, it has been there for a long time and it has some considerable history. I would like to review for members of the House some of the facts about its economic significance to this province.

I appreciate that Mr Eves provided some research on this by consulting various people in the industry and people associated with the industry, and I certainly support the bill, which proposes to reduce the effective tax rate on parimutuel betting to 0.5%.

The member, as have other members, has pointed out that at one time this was essentially the only game in town in Ontario. The only significant betting that could take place was betting at a racetrack. That has changed considerably today; we have all kinds of lotteries. I can't even keep up with the lotteries they have any more and don't understand half of the lotteries they have in existence in this province, but I know that they bring in millions upon millions of dollars to the coffers of the province of Ontario, and I guess some prize money to people who are fortunate enough to beat the almost impossible odds and win.

The fact, however, is that in June 1994 we're in a different circumstance. The horse racing industry does have a lot of competition. The new one, beyond the lotteries now, of course, is casino gambling, something that I have spoken out against on many occasions. The member for Parry Sound and I have a mutual viewpoint, I think, on casino gambling. I have directed some questions to the government in this regard.

I'm not convinced that all of his colleagues or all of my colleagues necessarily agree with everything we say about casino gambling, but I must say, from the questions he's asked and the views I've expressed, I think we're of one opinion on the effect of casino gambling. It is having, and is going to have, a pretty devastating effect on the horse racing industry, which is why it's going to require the kind of legislation which is proposed in this particular bill.

I should, on a parochial basis but certainly a justified parochial basis, talk about the future of Fort Erie Race Track. Fort Erie Race Track has been the subject of some considerable discussion, both in private and in public, as to its viability and its future.

Just as the member has mentioned, the Ontario Federation of Agriculture has estimated that the industry

contributes \$350 million annually to the agriculture industry in Ontario, that is, horse racing and looking after the horses, and that this figure does not include the \$2.2 billion of economic activity generated by veterinary services, farm equipment, transportation, rural-municipal taxes and salaries and wages. That's significant.

But if we can bring it down to the situation of Fort Erie, the estimation that I have—and the members from the Niagara Peninsula met on this in June 1992, the time we sat around the table with municipal representatives and talked about the importance of Fort Erie and the vulnerability of Fort Erie at that particular time to a closing proposal—is that upwards of 4,000 jobs depend on Fort Erie remaining open. Those were either directly or indirectly, and the member has appropriately pointed out how that exists.

The fact as well is that many of the people who work in this industry might have difficulty finding other employment. One of the options would be social assistance. But the opportunity to work in the horse racing industry, in jobs that aren't necessarily all that glamorous but are nevertheless important, the importance of having that dignity of work cannot be underestimated for those who are employed in the industry, because many might then have to seek social assistance. That is a cost to society but it's a cost as well to the dignity of the people who have an opportunity today to work in this industry.

1040

Fort Erie is again under some cloud in that there have been stories in the news media that its viability is in question. I don't think that's necessarily the case and it doesn't have to be the case. I know the political representatives in the Niagara region speak as a unit in wanting to see Fort Erie continue to exist and to play the significant role it does.

Fort Erie Race Track provides an opportunity to have a job for, as I mentioned, many individuals who might not have another job. It attracts tourists from New York state, tourists who spend their money in Ontario, and it abates the problem with cross-border shopping which has existed in some of the border areas.

I notice that this government has moved on many occasions when the people or the business affected are high profile, well-paid and significant in numbers, and I think there would be support for that on many of those occasions. I think it is equally important that the government endeavour to assist the horse racing industry, which is under threat today.

The town of Fort Erie, as part of the Niagara region, has experienced significant unemployment. The Niagara region consistently in the last few years has been among the highest, in terms of a geographic area, with the rate of unemployment. It's called the St Catharines-Niagara Report—that's the way it's listed by the federal government—and on a number of occasions it has in fact been the highest in the land, certainly the highest in the province. This is not a record we're happy about in the Niagara region and we would deplore the possibility of Fort Erie Race Track closing and another 4,000 jobs being affected by that potential closing. So its significance to the Niagara region cannot be diminished.

I won't get sidetracked, though I'm always tempted to get sidetracked into casino debates and the effect of casino gambling on a lot of things. Particularly with you in the chair, Madam Speaker, being from Niagara Falls, I'll resist that temptation I always have to get involved in casino gambling debates on virtually every occasion. I think this bill offers some hope to the horse racing industry. The bill is timely, timely because the horse racing industry is facing a great challenge out there, timely because it is no longer the only game in town.

I will divert a bit, within the context of this debate, to a viewpoint on offtrack betting, which is not necessarily held by even some of my friends who may wish to indulge. I've heard it said that offtrack betting is supposed to help the horse racing industry. Well, I don't know about that. Perhaps there are experts who say it does. I think it provides yet another opportunity for people to spend their money in a less productive way than they might otherwise spend it. I wish it were being spent on services being provided by people. I wish it were being spent on manufactured goods, such as vehicles that we produce in St Catharines or other things that are required within the household that could produce what I call excellent jobs out there for people, well-paying jobs, and there's something tangible at the end which is useful to the person other than a ticket stomped on the floor afterwards.

I think this industry is going to be important. I wrote a letter at one time to the Minister of Consumer and Commercial Relations about an issue of this kind, and in the context of the competition that's out there, I think the proposal made within this bill to reduce the effective tax rate on parimutuel betting to 0.5% is a reasonable one.

If the government is concerned about the economic ramifications of this, I think it will find that in the long run it'll probably receive more revenue doing this than it would if we have racetrack after racetrack in this province closing, where we have essentially offtrack betting coming from New York state or from some other place where people can go into a restaurant or a bar and do their betting and not have to go to a racetrack, not have to be part of the horse racing industry in Ontario.

As private members, voting the way I know they are permitted to do in this debate this morning, that is, as independently as possible—I know the cabinet has a collective view from time to time on matters of significance, and I understand that, but I hope members will indicate support for this bill this morning. It doesn't mean it's going to pass. I often see the material that's sent out to constituents after an issue in private members' hour, and it looks as though the bill has passed and away we go. That's not the case.

But the passing of this bill today would at least give a signal to the Minister of Finance of this province and to the Minister of Consumer and Commercial Relations that this industry and racetracks such as Fort Erie require assistance and that this is one way they can be assisted.

Mr Chris Hodgson (Victoria-Haliburton): It's a pleasure to rise today to speak in support of my colleague the member for Parry Sound's private member's Bill 130, An Act to amend the Race Tracks Tax Act.

As has been mentioned by previous speakers from St Catharines and Brant-Haldimand and my friend and colleague from Simcoe East, harness racing and thoroughbred racing, the horse industry in Ontario, has a long history and a great tradition in this province. As has been mentioned, the horse industry is suffering economic woes, and it seems to be exacerbated by the problems this government has inflicted upon it with the legalization of casinos in Windsor.

The present tax rate on triactor bets at 9%, and 7% on all other bets, is unrealistic given today's climate of taxes in the rest of North America and given the history of how that tax rate was set up. It arrived when horse racing at the tracks in Ontario was the only game in town. Today, there is a host of other ways people can wager.

As I mentioned before, the horse racing industry is a cultural thing for rural Ontario and for many Ontarians. They're not asking for cultural handout grants from the province. They're asking for a competitive level playing field so they can support their industry in a way that is marketplace-driven but also recognizes the history and the culture and the tradition of horse racing in Ontario. As far back as Dan Patch in the early 1900s, Ontario's been recognized for its excellence in the horse industry. That's the one side of it, the cultural side.

The other side of why the horse industry needs support from this present government is that it's a fact that it has a huge economic impact on all of Ontario and especially rural Ontario. It's responsible for up to 50,000 jobs in this province. That's a large industry. Direct and indirect spinoffs in agriculture are \$350 million of hay and straw and local services provided, and it's almost \$2 billion in total economic spinoff by the time you take the direct and indirect consequences of the 19 tracks in Ontario spread around most of rural Ontario.

What annoys me is that the government wouldn't recognize that this industry needs a level playing field. They would rather keep on with the rebate system where people have to go on banded knee year after year to get money from the Ontario government to support a legitimate industry in Ontario. Why not allow it to be in place like this bill calls for? It's common sense. It lowers the rate of taxation and allows more money to be in those people's hands so they can make the decisions about how it's to be spent.

I want to point out that the racetracks alone pay property tax in Ontario of \$10 million. These are property taxes to rural communities to provide for local services. If you take this away and have all the money go through the casinos, it goes directly to the general revenue fund of the Ontario government and these communities have to come to the government and ask for grants to provide these local services. At a time when there's economic hardship and it's being said that we can't spend money everywhere, for the social agenda changes there seems to be lots of money.

1050

I would also like to thank the Ontario Federation of Agriculture and the Ontario Agriculture and Horse Racing Coalition for making people of Ontario aware of how large an industry horse racing is and what an impact it

has on rural Ontario and all of Ontario.

In summation, I don't want to repeat what the other members have said in support of this bill, so I'll keep my comments rather brief. I speak in support of the member for Parry Sound's private bill because it makes sense. It might not be the be-all and end-all, but it's a small step and an important step to helping a very important industry in Ontario, a cultural industry and an industry that has great economic benefits. If it goes against the philosophy that everyone should have to come to the Ontario government to ask for a handout, then so be it.

It's time that rural Ontario had some money left in rural Ontario. These rules were set up when it was the only game in town. The reality's changed now. There's all kinds of forms of betting where the money goes directly to the province and doesn't stay in these rural communities. This is one area where we can help this industry and help correct a situation that's long outlived its necessity.

Mr David Winninger (London South): I'm certainly pleased to see the member for Parry Sound back in the House after his unceremonious departure yesterday. He certainly went down in defence of his leader, and that was not unnoticed on the CBC Radio news I listened to this morning. Someone's got to defend the leader of the third party. The Common Sense Revolution booklet has certainly been a bit of a snooze.

The Acting Speaker (Ms Margaret H. Harrington): We are here to discuss Bill 130.

Mr Winninger: Certainly. I was just moving towards my subject, Madam Speaker. The Common Sense Revolution booklet is certainly an important contextual backdrop for the bill the member for Parry Sound brings to the House today. While some of the economic bromides in the Common Sense Revolution booklet have put many people to sleep, perhaps never to wake up, those professional economists who have read through the document have been universal, as I read it, in disclaiming any validity in that particular document. I think it provides a good contextual backdrop to today's discussions.

The reduction of the tax under the Race Tracks Tax Act would I think be the coup de grâce for the racetrack industry in Ontario, because what it would do is effectively close down the majority of small racetracks and allow perhaps two or three of the larger racetracks to remain open, so I find it very counterproductive.

I don't disagree with many of the remarks of the member for Victoria-Haliburton. Certainly there are tremendous challenges the racetrack industry is facing. I've had extensive correspondence with Mr McRae, the general manager of the Western Fair Association in London—we do have a racing operation there—as well as Glen Brown, the chair of the Ontario Agriculture and Horse Racing Coalition. Through this correspondence, I've had an opportunity to do a little research into the industry.

I agree that it does in fact provide jobs to a great number of people. The last number I had was 28,000 people employed in racing, people who train and groom horses, people who work at the racetracks, people who

work in the grain and feed industry who service that particular industry.

It would be of great concern to me if the tax were reduced, as the member for Parry Sound would have it, because that would totally wipe out the \$30 million and upwards that's rebated back to the industry. I might add that the lion's share of that \$30 million probably goes to the smaller racetracks, because they're in the most need. By essentially wiping out that tax and the rebate, I'd have very great concerns, particularly because Agriculture Canada, as I understand it, permits the racetracks to retain only 18 cents on every dollar.

I'm confident they're at the maximum now, so I see absolutely no value in this bill and I will be opposing it.

The Acting Speaker: Is there any further debate? If not, the member for Parry Sound has two minutes to respond.

Mr Eves: I believe I have four minutes and 20 seconds.

The Acting Speaker: Plus some other time. Thank you.

Mr Eves: Having heard a few other members partake in the debate—and I thank members on all side of the House who have participated in the debate—I am somewhat at a loss to understand the concern about not removing \$70 million a year out of the horse racing industry.

Right now, the province takes \$75 million a year in tax, in round figures, out of the industry. They return roughly \$25 million. The province nets \$50 million.

If I understand it correctly, you're saying you would rather have a \$25-million handout than \$75 million which you can distribute internally among various groups in the horse racing industry. You don't think they are capable of doing that? Is that what you're telling me, that Big Brother has to do everything for everybody in society?

If somebody comes to me when I am making \$25,000 a year on social assistance and says, "We're going to give you a \$75,000-a-year job," am I going to say, "No, I don't want it because I'd rather have the \$25,000-a-year handout"? That's the message I'm getting from what the members of the government have said here today.

I would like to point out to the members who have spoken on this issue and again to the two associations they talk about—which, I might add, they neglected to mention are only two out of nine. Seven out of nine in the Ontario Agriculture and Horse Racing Coalition group are in favour of this bill. Two out of nine, I believe somewhat misguidedly, are against it because they believe their rebate is in the act. It isn't in this act. Here's the entire act with every regulation attached. If the rebate program is in this act, I'll eat it. If it isn't, I want the members who speak in favour of it to eat the bill, because it isn't in here.

Mr Winninger: Yours wouldn't be either.

Mr Eves: No, mine wouldn't be either. That's the point: It is not in the act. The way the industry gets its money back is by order in council every year by the cabinet. That's how they get their money. It's not in the act and it's not in the regulations under the act. These

two groups, with all due respect, don't seem to understand that. It isn't in my bill; it isn't in the original act that we're working under now.

It doesn't make any sense to me, the argument they're using. They're telling me they don't want \$75 million a year; they want a \$25-million handout instead. "Don't give us the \$75 million. What would we do with the extra \$50 million?" I don't see how that's benefiting the horse racing industry.

I might add that the overwhelming majority of the people in the coalition fully support this bill. And if not this bill, I say to the government in all honesty, and I said this when I introduced the bill, and I said this during Bill 8 hearings, and members who were present know I've been consistent on this—I've said it to the minister several times; I've asked her questions in the House. I introduced the bill in December, and here we are six months later and the government has taken no action to protect the horse racing industry with the advent of casino gambling and all the other forms of gambling that this government and other governments have introduced into Ontario society. I say, then bring forward your own bill with what you think is a fair and effective reduction of taxation rate, because I tell you, if you don't, you're going to put this industry out of business.

I say to the 27 rural New Democratic Party members who were elected in 1990 that the Ontario Federation of Agriculture fully supports this bill, so you'd better decide when you vote here today whether you're supporting Frank Drea, the newly converted socialist, as I now hear it in the Legislature this morning, or you're going to support the Ontario Federation of Agriculture, because that's your choice.

1100

The other member groups—

Mr Len Wood (Cochrane North): Time is up.

Mr McLean: You've got two minutes.

Mr Eves: I believe I have two minutes left, Madam Speaker. Thank you.

The other member groups in the Ontario Agriculture and Horse Racing Coalition consist of the Canadian Standardbred Horse Society, the Canadian Thoroughbred Horse Society, the Canadian Trotting Association, the Ontario Federation of Agriculture, Racetracks Canada Inc, Standardbred Breeders and Owners Association, and Women in Harness Racing. Those groups are fully in favour of Bill 130.

The two that are not are the two that have been mentioned by a couple of government members, the Horseman's Benevolent and Protective Association and the Ontario Harness Horsemen's Association. I say, with all respect, to those two groups, I believe they're somewhat misguided in their conclusion because Mr Drea seems to have convinced them that it's better to receive a \$25-million handout at the discretion of whoever's in power every year by order in council. Some government may decide not to give them a cent. There's no guarantee in the existing legislation. They'd rather rely on that handout year after year than getting the \$75 million to start with. I don't understand that thinking.

I also would like to point out that Coopers and Lybrand, during the Bill 8 hearings, when I asked the question: Don't you think it's time we amended this tax and reduced it? The answer I got from Coopers and Lybrand in committee was: "In terms of the parimutuel tax, when the tax was conceived, horse racing really benefited from somewhat of a monopoly environment. You didn't have the same extent of lottery ticket purchases and casinos were out of everybody's mind. So maybe it is time to consider modifying the tax."

That's what I'm asking the government to do today. I've been asking the government to do it consistently for at least a year now, and I would like some action to be taken. The agricultural community in this province is 100% behind me.

The Acting Speaker: Time for discussion of second reading of Bill 130 has expired. A vote will take place at 12 noon.

CONSUMER PROTECTION

Mr Sola moved private member's notice of motion number 42:

That, in the opinion of this House, consumers in Ontario are in need of greater protection against sellers or lenders who make false, misleading or deceptive representations or innocent misrepresentations than is currently provided for in consumer protection legislation such as the Business Practices Act and the Consumer Protection Act; and that to the extent to which existing legislation does offer a degree of protection to the consumer, such provisions should be more vigorously enforced; therefore the government of Ontario should establish a select committee of this House to review existing consumer protection legislation so as to provide consumers with an improved comprehensive protection program.

The Acting Speaker (Ms Margaret H. Harrington): Mr Sola has moved private member's resolution number 42. He now has 10 minutes for his discussion of this matter and then we will discuss it in rotation.

Mr John Sola (Mississauga East): First of all, I'd like to thank the office of the legislative counsel, particularly Howard Goldstein and Betsy Baldwin, for their research and help in drafting this resolution.

As you can see, my resolution is stated in pretty general terms. It is a broad statement intended to cover as wide an area as possible. I did this intentionally so that I would not run into the same problems as the member for Scarborough-Agincourt with his bill to protect consumers from fraudulent loan brokers. He was criticized that his bill misses the mark and needs to be rewritten.

My original intent was to formulate a bill to discontinue the so-called "buyer beware" attitude prevalent in society today. I wanted to set the tone for an ethical business practice plan and to concentrate on the concept of honesty in business, to which most of our businesses in the community adhere anyway.

In this day and age, the world is too complex for the buyer to be an expert on everything: on law, insurance, real estate, automobiles etc, even if he or she reads the fine print.

The wide scope also allows me sufficient space to home in on a horror story in my own riding of Mississauga East which has carbon copies in many other ridings. The case of the homes built on radioactive soil in Scarborough comes to mind, as do the farms which were used as disposal sites for asphalt, resulting in contaminated groundwater affecting milk production and livestock.

The case I'm speaking about is Clifford and Isoline Armstrong, whom I first met on February 15 of this year. I inspected their home at their request at 3145 Nawbrook Drive, because they did not believe that I would be able to understand their grievances unless I actually saw them first hand.

After inspecting their home, I wrote a letter to the Honourable Marilyn Churley, Minister of Consumer and Commercial Relations, and part of it I want to read into the record. This is my observation after having seen the home:

"His home is sinking, tilting, cracking and threatening to become a heap of rubble. Some cracks in his brick walls are one and a half inches wide." That was then. I visited the place last week and those cracks have now increased to two inches. "The basement has sunk up to a foot in spots, and a new one had to be laid below the furnace to prevent it from hanging six inches above the original floor." Prior to my coming there, it had been hanging by the natural gas pipe, nothing else supporting the furnace. As of last week, that six-inch addition had sunk enough so that you could put your hand under the furnace. "Mr Armstrong's front door, bathroom door and garage door are almost impossible to open because of the lopsided tilt of the house."

This was the letter I wrote on February 15. Subsequent to that, on March 2, I followed it up after having received a letter from the Armstrongs, who happen to be in the gallery, which gave a complete and detailed outline of all the problems that they had encountered, complete with construction plans, surveys and technical reports.

Now I want to read some of the observations from those technical reports, because it is important for us to realize how bad the situation is. They hired consultants to analyse the situation, and here are some of the reports from those consultants:

"The 16 piles on lot 93," which the Armstrongs bought, "were installed...in April 1984. They appear to have been driven to a depth of approximately 20 feet. I note from the pile layout plan that one pile appears to be missing at the west side of the home, immediately behind the garage. This is the location where major structural damage to exterior walls has been observed." That's one report.

The second report says: "The basement plan shown does not represent the Armstrong home. For example, the as-built home is approximately 26 feet, four inches by 37 feet, eight inches, rather than 31 feet, six inches by 32 feet, 11 inches as shown. Further, the two piers in the centre of the basement are not in the location as shown."

A further observation: "The brickwork along the west side of the garage exhibits step cracking in excess of five

millimetres (one quarter of an inch) in width." That was in 1993. When I visited there last week, some of those cracks were about two inches wide. "The powder room window frame has been dislodged from the masonry wall, exposing the interior of the wall to rain..." and that is at least a two-inch crack. "The garage door frame has also been twisted within the masonry opening. It appears that the northwest corner of the garage has moved downward by approximately 75 millimetres (three inches)...." That has sunk even further since then.

"The report confirms that the basement floor slab has been placed on poorly consolidated fills containing compressible organic materials. These types of soils are not considered suitable for supporting structural loads without the use of special design and construction procedures."

Some other findings: "As such it is clear that the developer of the land, home builder, and the city of Mississauga knew that this home was constructed on landfill. As such they had obligation under the requirements of the Ontario Building Code to ensure that the home was constructed so as to ensure that the observed structural settlement did not occur."

1110

They summarized: "In summary, the Ontario Building Code clearly describes the design method for correctly constructing a foundation and basement floor slab level of this home. It appears, however, that these procedures were not followed; otherwise the observed major structural damage would not have occurred."

I want to point out that in some reports this home is stated to have been built on a former landfill site; in other reports, on a former quarry. Whatever; it is built on fill, and that situation is covered by Ontario law.

The conclusion of the consultant's report stating the repairs that are necessary to make the Armstrongs' home livable is as follows. There are 11 different points made:

"Demolition and removal of the wall finishes within the basement.

"Removal of the furnace, hot water heater and related services. This will require moving the occupants to temporary accommodations.

"Removal of concrete floor slab.

"Drilling of special piles within the basement to support the future floor.

"Construction of new structural concrete slabs supported by the piles.

"Reconstruction of basement finishes following the installation of services.

"Removal of exterior brick veneer around the garage.

"Driving of new piles and construction of transfer beams below foundations of garage.

"Jacking of the garage foundations to the original grade.

"Replace brick masonry.

"Reinstate exterior landscaping."

The total cost of the construction of these 11 points

would be approximately \$82,000. Engineering design, inspection and testing fees would jack that up to approximately \$100,000.

What I want to point out is that the Armstrongs bought this home in good faith. The site is covered by the Ontario Building Code, the builder belonged to the Ontario New Home Warranty Program, and the city sent inspectors to the site. Yet still the Armstrongs and their home fell between the cracks. It is necessary to fill those cracks in order to prevent similar occurrences from happening in the future.

This resolution is non-partisan, deliberately, to facilitate agreement on the necessary changes. It is unfair that individual citizens like the Armstrongs should bear the complete cost of circumstances that are beyond their control and that are the result of either legal loopholes, human mistakes or some other happenstance.

I've got some other points to make, which I will do in the two-minute summation, but I encourage everybody to be non-partisan in this regard. I think people on all sides of this House, whatever party they belong to or whether they are independent, are here for the good of the community. This is an instance where if we correct the mistakes that are there, we can prevent further instances of such occurrences happening, despite the best efforts of every level of government.

Mr Steven Offer (Mississauga North): I am pleased to take part in this debate on the resolution put forward by the member for Mississauga East. When one reads the resolution, it is clear that the thrust, the intent and the hope of the member for Mississauga East is that consumer protection legislation and issues around that area are moved to a committee for discussion, and for hopeful action, so that the type of activity that took place in the situation the member brought forward would not happen in the future. Apparently, it is clear that there is the need for a greater sense of consumer protection legislation than now exists in the province.

I am well aware of the debate that took place, I guess about two or three weeks ago, on another piece of legislation, Bill 152. Madam Speaker, you will be aware that that particular piece of legislation dealt with the issue of loan brokers and the issue of deposits by people who make an application for a loan and the fact that those deposits are non-refundable. It was unfortunate that though there were many people who spoke in principle in support of the legislation that day, the government moved that bill to what is called committee of the whole. That means the government will not be bringing forward that piece of legislation, and for all intents and purposes that bill is dead, no matter how important its thrust was. It was a piece of legislation that I supported and I will be directing some of my comments to that piece of legislation in the next few moments.

I think this resolution is one which I will support. I'm speaking in support of the resolution because I think there is the need to move some of these very important issues to a committee or somewhere for discussion, to uncover the issues and how best they can be addressed.

To date, the Minister of Consumer and Commercial Relations has not dealt with this area. It is clear that the

record of the government in this area, in one word, is just basically inaction. The Minister of Consumer and Commercial Relations has been primarily if not wholly concerned with gambling and casinos in the Windsor area and other areas around the province and is only concerned with fomenting more gambling in this province while leaving to the side the issue of consumer protection. I believe the people of the province require more effort by the government and the Minister of Consumer and Commercial Relations. In essence, she's got to get out of the gambling casinos and into the communities and start to deal with legislation and protection for consumers in this province. To date, she and her government have not done so.

I am speaking as the member for Mississauga North. I believe this resolution should be supported, because I think there is the real need to deal with many issues around consumer protection. I get in my constituency office concerns and letters over issues such as the non-refundable deposits made by people who are applying for loans with loan brokers.

Basically, people are in desperate need of money very shortly for whatever reason, and the reasons are as vast and as broad as we wish to take the time to express, but it all boils down to people requiring a loan. They go to a broker, they fill out some papers, they put down a deposit and they expect and are given the impression that this loan is in fact going to be committed to. In other words, that paper they sign is in a few days going to be transferred and they're going to receive dollars. They find out later on that the loan application has been declined, and then when they go back to get their dollars, their deposit, they find that they can't get that back either. It puts people who are in dire financial straits in a worse position.

It is clear that the issue is in every community in this province. It is not an issue that everyone is writing about or calling about, but it is a very real issue to real people. We had the opportunity to deal with that matter three weeks ago. We have another opportunity. The setup of this committee could look at that issue. We could revive that bill which the government so quickly killed three weeks ago.

People are being hurt by the fact that they are losing their deposits, that it is not being explained fully and properly what their rights are, what the risks are. People out there are preying on individuals who happen, many without any fault of their own, to be in some very deep and dire financial straits and need some capital, some loan, very quickly.

1120

They go to these brokers. They sign the forms. They are led to believe that they have a commitment for a loan. They are led to believe that the loan dollars will be coming in the next few days. A few days later, they are told that the commitment has not been accepted, that no money is going to be coming. They come and they say: "I gave you a deposit when I signed that paper. May I have that back?" The answer to that is no. We know that this is all set up, that this whole situation is set up specifically to prey on people who make, in good con-

science, in good faith, loan applications but need the funds very rapidly for an emergency purpose.

It is issues such as that, issues that I receive in my constituency office, telephone calls and letters, that we can deal with. We could have dealt with the specific issue three weeks ago, but the government nixed that. We have another opportunity to deal with this issue if we accept this resolution and set up a committee.

It will be interesting to see whether the government is committed to do that. They may be able to speak in support, but I want to see a real and firm commitment that the committee indicated in this resolution will in fact be set up, so that these very real issues will be dealt with and so that the people who are badly, badly hurt will have a remedy. It will be interesting to see what the government's commitment is and whether it will, for the very short period of time, get itself out of the gambling casinos and into the communities and help people who desperately need some legislative assistance.

Mr Allan K. McLean (Simcoe East): I welcome the opportunity once again to put some comments on the record with regard to the resolution that's been brought forward by my colleague the member for Mississauga East. This resolution notes, "Consumers in Ontario are in need of greater protection against sellers or lenders who make false, misleading or deceptive representations or innocent misrepresentations...."

As well as the existing legislation, like the Business Practices Act or the Consumer Protection Act, it does not offer appropriate protection to the consumer, and that's why he has brought this bill in, so that we could have a select committee of this House to review existing consumer protection legislation and to provide Ontario consumers with an improved, comprehensive protection program.

I commend the member for Mississauga East for bringing this resolution forward. The people of Ontario, those on fixed incomes and those who have worked long and hard to make a living, are really sick and tired of those people who prey on unsuspecting consumers by using false, misleading or deceptive practices.

I support this resolution in principle, but I would urge the member to overhaul his resolution to include some form of protection for the overburdened taxpayers of the province of Ontario, some of the ones that we have seen here. There's no end to the taxes, to what's gone on.

I want to relay a couple of incidences of why I think it's important that this consumer protection bill review committee should be put in place. On some occasions I've had the New Home Warranty Program and some people came to me who have indicated that they have bought their property, there has been a crack in the basement when they moved in and they have gone through an awful time to try to get it rectified.

I know of two cases that came to me. I have been in touch with the ministry. The New Home Warranty facilitators indicated, "Yes, we will look at it, we will make the contractor put in a new wall in the basement or fix it up, whatever the case may be," and it goes on and on.

These poor people who have bought this new resi-

dence, perhaps their first home, are sitting here with a cracked basement with the water coming in, and the protection that we have today does not appear to be strong enough to make those contractors repair the facilities. I'm speaking about one that was in the Brechin area in the township of Mara at that time. It was over a year and those poor individuals still had not been satisfied with regard to the purchase. So there really is a need for consumer protection to be looked at in a broader sense.

We look at some of the consumer protection laws that we have and we often wonder, really, how do those people become protected? Look, it wasn't long ago here we were dealing with a bill in this Legislature with regard to loan sharks who would take a fee of \$300 or \$800 in order to get somebody a loan. Linda Leatherdale had on many occasions full pages with regard to people who were being ripped off where these individuals claimed they were going to get them a loan. It never did happen. What protection do those people have?

Mr Speaker, I believe that you yourself had a bill here not too long ago which you wanted to put in place to stop cheque-cashing operations that you felt were ripping off the public. What protection do those types of people have, that you tried to bring your bill in?

I think there is a need for an overhaul. When we look at the real legacy of this administration, I would hope that they would consider some of the issues that have been brought before them here by the member for Mississauga East.

This consumer protection resolution, I think, would be a step in the right direction, but I would urge the member to give serious consideration to expanding it to include the protection of Ontario's overtaxed population. They deserve nothing less.

I want to thank you, Mr Speaker, for this opportunity.

Mr Noel Duignan (Halton North): I'm very pleased to stand here today and offer some comments on the resolution put forward by the member for Mississauga East. But before I begin I would like to clear up a point that the member for Mississauga North brought up in relation to the private member's bill put forward by Mr Phillips.

The staff of our ministry has indeed met with the staff of the Ministry of Finance to review Mr Phillips's bill, basically around the whole question of loan brokers. We have found his bill to have some very serious technical problems, and that's why it was referred to the committee of the whole.

Let me begin by saying that the vast majority of Ontario businesses are indeed fair and honest and offer consumers good value for their money. If and when problems do arise, these businesses usually respond in a timely and very satisfactory manner. They know this makes good business sense.

I might also mention that any review of consumer protection legislation should include the need to use public sector resources efficiently and effectively, to work in cooperation with other marketplace participants and to look beyond legislation as the answer to all consumer

problems. At the same time, we know there are indeed a few bad actors in every sector and, because of that, improvements are always possible.

The Ministry of Consumer and Commercial Relations has a variety of methods available to deal with these bad actors. Many of these methods are outside the confines of existing consumer legislation. For example, we seek out partnership with business and consumer representatives to look at the possibility of industry self-regulation and alternative policies that will help consumers in the marketplace.

There are indeed many consumer protection initiatives going on outside government or with government involvement that aren't based on legislation. Recent non-legislative initiatives have provided a steady stream of improvements for consumers.

One good example of this increased cooperation between government and business is the recent creation of a standard, plain package contract for car purchases. Making it easier for consumers to understand what they're signing can save a lot of potential grief and a lot of dollars down the road.

1130

Another recent cooperative effort is the introduction this past spring of Camvap—that's the Canadian motor vehicle arbitration program—to help resolve consumer disputes over new car purchases. Camvap is an improved interprovincial version of the OMVAP that has existed here in Ontario for eight years.

Ontario's used car buyers are also better protected now as a result of the cooperation of three ministries. That's MCCR, Transportation and Finance. Together we've created UVIP—that's the used vehicle information package—to help buyers and sellers of used vehicles understand their rights and indeed their responsibilities.

For the past eight months anyone selling a used car, van, light truck, motor home or motorcycle in the province must buy this package and give it to the buyer. The package provides potential buyers with accurate and crucial information about a vehicle's registration and, most importantly, lien history before they make that final decision to purchase. It also discusses retail sales tax and other frequently asked questions regarding buying a used vehicle. As well, it makes a big dent in curbsiders' ability to do business. As you know, curbsiders are unregistered car dealers posing as private sellers.

On the enforcement front, recently our ministry has been aggressively attacking the problem of curbsiding. Since this was a serious problem in the past affecting many consumers, we are very determined indeed to address this problem. People who buy used cars from curbsiders usually don't benefit from the protection they would normally have. Had they gone to a registered dealer, they indeed would have this protection. As well, the characteristics and history of a vehicle can indeed be misrepresented, and buyers can track down the seller if they need to go after that fact.

In 1993 we undertook 219 investigations into curbsiding. The combined activities of the three ministries in addressing this issue on behalf of the consumer have

significantly reduced the problem. We try to be proactive wherever possible to help prevent problems for consumers by issuing consumer alerts in potential problem areas, producing pamphlets on a variety of consumer topics, and through our 24-hour, province-wide, bilingual consumer information voice-processing system. More than 325,000 people a year take advantage of our 1-800 telephone service for information and assistance. Recently we announced that this service will be expanded with the addition of two more telephone lines.

Of course, the advice and protection MCCR offers is in addition to the consumer service policies and good practices of many manufacturers, retailers and service providers. MCCR is involved in many other partnerships that ultimately help protect consumers in the marketplace, including those that increase enforcement effectiveness and help deter scam artists and fraudulent businesses.

The ministry has also been working with the Canadian Franchise Association to encourage its efforts to improve cooperation between franchisers and franchisees and to develop a code of best practice that reflects both groups' needs. In yet another consumer area, the Ontario Provincial Police Project Phonebusters has been targeting telemarketing fraud for the past few years, with assistance from several sources including MCCR.

Perhaps most importantly, there are many ways consumers can help themselves, often with faster results. For example, the increased Small Claims Court limits provide consumers with greater access to this low-cost dispute settlement mechanism. Through Small Claims Court, people can take steps to resolve disputes with uncooperative businesses without having to rely on government intervention.

When consumers are unable to solve a problem directly with a given business, as a last resort they often turn to the consumer ministry for help. We review the claim and options with the parties and, if appropriate, offer to mediate. Should our staff discover during an investigation a perceived breach of any of the ministry's consumer protection statutes, prosecution may result.

To give you an idea of just how effective our enforcement area is at any given time, we have approximately 200 investigations under way. During the course of a year, we resolve close to 600 cases. Some of these investigations are indeed highly complex and may take up to two years to complete. As well, as much as \$1 million in consumer moneys can be at stake.

The Ministry of Consumer and Commercial Relations focuses on delivering consumer protection as efficiently and as cost-effectively as possible in a time of fiscal restraint. Not surprisingly, we are most active in the most problematic areas, those involving some of the biggest purchases consumers can make. These include such big-ticket items as homes, cars and vacations.

In the area of vacations, for instance, we recently changed the Travel Industry Act regulations to make sure consumers know exactly what they're getting into when they pay for travel services. Travel agencies and wholesalers now have to provide more complete information in their advertising, such as the full price of a vacation package.

I feel our major consumer protection and regulatory legislation—the Consumer Protection Act, the Business Practices Act, the Real Estate and Business Brokers Act, the Motor Vehicle Dealers Act and the Travel Industry Act—is indeed very effective and very well enforced.

Let me conclude by stating that the Ontario consumer protection programs are continually reviewed and indeed improved. In light of this, establishing a select committee of the House to review existing consumer protection legislation would not be an appropriate or necessary use of public dollars. Indeed, we will not be supporting the resolution put forward by the member for Mississauga East.

Mr Robert V. Callahan (Brampton South): It's a pleasure to rise and join in supporting this resolution. The member who last spoke said there's no need for a select committee. I would dispute that.

Consumerism in this province and the laws that regulate it were really geared towards a province that has much changed over the years. Ontario, and perhaps Canada, for that matter, has become very much multicultural, where people have come here from other countries and become citizens or settled in Ontario and their first language is not English.

I suggest that this makes it much easier for those business people—and I'm speaking not of the reputable businessmen, but the fly-by-nights, the quick-buck artists, and there seem to be a lot more of those these days because of the downturn in the economy—who can take tremendous advantage of people whose first language is not English.

They can also take advantage of seniors. I'm not for one minute suggesting that seniors do not have the ability to make decisions, but I'm suggesting that very often seniors can be approached by a business practice that may appeal to their heartstrings, and we all know that seniors, at least the seniors I know, have very significant concerns about young people and about good projects that will help young people and people who are physically challenged.

I suggest to you that the Ontario landscape has changed, and a select committee is the best way to hear from groups as to the various devices and various tricks they've fallen prey to.

It's interesting that when one reads the Star Probe, they seem to have at least four or five cases, and I'm sure that's only a few of the many they've got in their reports, and they seem to be able to resolve them. What they do is expose these people, some of them, to the light of day and the publicity, and these people are decisive to make changes and to grant fairness to the individual. We see things like Goldhawk on CFTO; he has been very successful as well. It's amazing how letting light on a problem can have an instant effect in terms of solving that problem.

I suggest to you, Mr Speaker, that my colleague's resolution today that we have a select committee of this Legislature look at the whole issue of consumerism, the whole issue of consumerism against a background, as I said, of a changing Ontario, against the background of the

information highway we're in, and we're ever travelling further down the line, is absolutely essential.

1140

I'll give you a couple of examples. I had a constituent who called me up and said she had been approached by a vacuum cleaner company. The vacuum cleaner company apparently was sponsored by Pollution Probe, and the reason it was sponsored by Pollution Probe was that when you used it, it didn't leave any dust behind. The people invited this person to their home. First of all, it was set for 9 o'clock; the person didn't show up until about midnight. He showed up and did the demonstration. They decided the price that was being asked was Cadillac and the Volkswagen was going to do quite nicely.

The lure to get into the house was that they would be able to take a trip to some exotic place for free. The hook to that was that you had to send \$10 to this agency and it would then send you back the coupons to exchange for the trip. Guess what? The demonstration was held, the item was given, the \$10 was sent. They never heard from the people the \$10 was sent to. In fact, they don't even have an address on the coupon you retain to be able to find out who they are or where they are. I find that very interesting, and that's just an example of how people today can make a quick buck in the market by dazzling you with footwork.

Another recent one that was received by a constituent of mine promised trips to Fort Lauderdale, Hawaii and other places. If you read through the fine print with a magnifying glass, you'd find that if you started making payments and didn't make them all, all of the money you'd paid up to that point was forfeited. That, to me, is a sharp practice and that's something that should be reviewed.

In my view, there should be a mechanism for a swift review of every contract rather than this circuitous process you have to go through, forcing people to go into our courts to enforce these obligations and, by the time they get there, finding that the person they're trying to get their money back from has disappeared.

I suggest our courts are far too overloaded. There has to be a mechanism that keeps up with the approach of the 21st century. That's why I suggest that it is imperative, and it would probably be more useful than some of the debates we have in this House and some of the things we are currently involved in, to set up a select committee and deal with this in order to protect the citizens of this fine province along the lines of the changing face of Ontario and ensure they don't have to rely on Mr Goldhawk, even though he does a good job, and Star Probe; that in fact they can get equity from the government of the day, which they're paying big dollars to, to ensure they're protected.

I just came downstairs from public accounts on Houselink. We're looking at dollars just having flowed out of this province with a devil-may-care attitude and nobody with their finger on the clutch. I find it interesting that a New Democratic Party government that says it's democratic would not be interested in having a select committee look into this issue to ensure fairness to the people in this province.

Mr Norman W. Sterling (Carleton): I was really disappointed to hear the parliamentary assistant to the Minister of Consumer and Commercial Relations say that they would not support this resolution.

I have been, as you know, a member of this Legislature for some 17 years now. Over a long period of time you start to look at things in a longer time frame. I have been a little concerned over the last 10 or 11 years—and I don't want to make this particular to any one party—that there seems to be a lack of thrust in terms of looking to the consumer and protection of the consumer.

We have done precious little in this Legislature to deal with consumer legislation. I know you, Mr Speaker, have had a bill in front of this Legislature to protect the very poorest of our consumers in dealing with the cashing of cheques. A welfare recipient is getting ripped off to the tune of 3% or 4%, I believe—it may be even higher than that—to cash a government cheque. What a huge rate of interest for the very poorest people in our society to pay.

We have not done anything about that. We seem to sit back and not move on any of these consumer matters, where there's a clear indication that there is a role for government to set forward clear, unequivocal rules to help our citizens have a more meaningful and higher standard of living by delineating certain rules.

The proposer of the resolution has referred to someone in his riding, the Armstrongs, who have had trouble with the home warranty program. I have had a similar case in my constituency, in the city of Kanata. The Twolan-Grahams purchased a town home in Kanata, and approximately five to six years after they purchased this home—I'm not certain whether they were the first purchasers or the second purchasers; I believe they were the first—it was discovered that their sewer line was never connected to the main sewer. In other words, the builder had run the sewer line out, but there was never a connection made.

Five or six years later, there was this horrendous odour which permeated the neighbourhood. They start digging and they discover this problem, a \$20,000 problem when you add all the various kinds of costs associated with doing this afterwards. The home warranty program said: "Five years is our time limit. It's up."

What the proponent of this resolution and myself are talking about is the problem with the home warranty program. We should look at the home warranty program and say that if there's a latent defect, a defect which is hidden for a long period of time, the timespan runs from the time when it's reasonable for people to discover that there has been a defect. I think we need a forum to discuss the revamping of that legislation and the role of the home warranty program to deal with these kinds of problems.

I'll tell you one thing I have been very concerned about with regard to the remarks of the parliamentary assistant. I think the Ministry of Consumer and Commercial Relations has been so tied up in creating casinos around this province that it forgot about the consumer, really has forgotten about the consumer. That's the bottom line. They have been so wrapped up in this casino gambit, which has taken more than two and a half years to get in place, that they've really forgotten about the

other functions. I understand that in terms of the political context, because there are only so many hours, the minister has so much time to put on various policy issues, and they've forgotten about the other.

I want to identify three areas in addition to the area mentioned by the proponent, the home warranty program. I think a minor adjustment could take care of people like the Armstrongs and people like the Twolan-Grahams in my constituency.

I want to talk about mutual funds, I want to talk about real property transfers, and I want to talk about franchising law. In all those three cases, we are not talking about buying a car and losing \$2,000 or \$3,000 or \$10,000 in a transaction. We are not talking about Small Claims Court and losing \$2,000 or \$3,000. We are talking about the lifetime investment of some citizens of Ontario, and because we have failed as a Legislature over a whole series of governments to sit down and talk about these major investments, the major investments that people make in our province, we are leaving a number of people naked when they are making these transactions.

I heard on television this morning about Altamira Investment Services, which has been very successful in the mutual fund area. It has been discovered that they pay a large amount of commission each year, I believe \$48 million worth of commissions each year, in stock transactions. That's the business they're in. I don't argue with the fact that they spend \$48 million, but they have paid themselves through their own trading company \$8 million of that \$48 million, and some people who invest in Altamira are saying there shouldn't be any kind of vertical integration and that they shouldn't be allowed to hire another arm of their own in order to make this money.

1150

I don't know whether I agree with that, but I think the topic should be discussed and some rules should be put around what is being done with mutual funds, rules put around what mutual fund companies can or cannot do. Over the past year in particular, the past two years, thousands and thousands of people in this province have put their life's savings into mutual funds, and we have not even looked at the topic.

You would understand this, Mr Speaker, because I know you were involved, before your political life, in the financial industry. But the whole atmosphere of investing in Ontario has changed dramatically in the last two and three years, yet we sit back in the Legislature and talk about mundane things and we are leaving our citizens unprotected and we're not even considering talking about the kind of rules we should perhaps have for the mutual fund industry. Now, I don't know all the answers, because we haven't had that discussion.

The other area I want to talk about is that we've had some trouble in the recession about franchisees and franchisees. There about 20 states in the United States that have franchise law, and there is federal franchise law in the United States.

I am not talking about an overregulated franchise law, but there should be some kind of basic protections for

franchisees in dealing with their franchisor because of their very negative position in the negotiating part of buying a franchise.

Advertising funds, for instance, should be put in some kind of trust fund and there should be some accountability between the franchisor and the franchisee that in fact the franchisor is spending those advertising funds, which they've promised to do, on the sale of the product the franchisee is engaging in. I think we could involve ourselves in some very basic, fundamental law in that area.

The other area that I think is long overdue—and a number of the states in the United States have this as well—is proper disclosure on the sale of a piece of real estate. We still go by the ancient, ancient caveat emptor. In the biggest single transaction that any one of us in Ontario enters into, there is no protection for the purchaser save and except what is in the agreement of purchase and sale. There is no obligation on the vendor to tell you about a defect in property, unless you ask the question, and most purchasers don't have the sophistication to ask that question.

We seem to be more concerned about minor matters in terms of consumer and commercial protection than we are in the major transactions which the citizens of Ontario undertake. I urge the members to strike this committee, and let's sit down and talk about these major holes in our consumer protection law.

Mr Bob Huget (Sarnia): It's a pleasure for me this morning to add my comments to those of my colleague the member for Halton North on this resolution regarding consumer protection in the province. I want to say at the outset, there is no other member I have come in contact with who has a more genuine and sincere interest in consumer issues, and they are issues he and I discuss on a regular basis throughout our time here.

I'd also like to say that for the opposition parties in this House to suggest that the government doesn't care about consumer protection or hasn't taken or doesn't take any action is just fundamentally not accurate. That's as polite a way as I can put it.

This government regularly reviews and improves its consumer protection programs to make sure they meet the needs of Ontario consumers and that they do indeed keep pace with the ever-changing marketplace, and we all know it is a changing marketplace. We do this, or attempt to do it, by working in partnership with the private sector to develop both non-legislative and legislative initiatives.

I'd like to elaborate, in my short time this morning, on an innovative program that my colleague the member for Halton North touched on, and that's the Canadian motor vehicle arbitration program. I think it's a great example of what can be achieved through cooperation between business, government and consumer groups.

Like the Ontario plan, the Canadian plan is there to help consumers with a common problem as efficiently and effectively as possible. The Canadian motor vehicle arbitration program was created in April to arbitrate disputes between consumers and vehicle manufacturers without having to use the courts. It's entirely industry-

financed and voluntary, and by the end of this calendar year should be available to consumers in all provinces and territories with the exception of Quebec.

Based on what they hear at an arbitration hearing, arbitrators may award a buyback or replacement of the vehicle, repairs or reimbursement for repairs; they may also award financial compensation for out-of-pocket expenses incurred by the consumer or, in some cases, find no liability on the part of the company.

Once it's fully implemented, that program should have 16 members, who will elect an 11-member board of directors, including four government representatives, four auto manufacturing representatives, one dealer and two consumer representatives. There will also be administrators across Canada to handle cases in each region and one general manager in the Toronto headquarters.

In its very short existence the program has already been well received, and we have great hopes for its success. If it follows in the Ontario program's footsteps, success is assured. In a survey done not very long ago, the customer satisfaction rate with the Ontario program, as it applied to auto arbitrations, was 86%.

As I said earlier, I really feel that this kind of program, with that kind of satisfaction rate, is a very good example of what can be accomplished when business, government and consumer groups work together. It's important for all of us in this House to remember that finding cost-effective, non-legislative solutions that help everyone makes a great deal of sense these days, and always has and always will.

I want to further state that to suggest that this government may be more consumed with the casino issue than with consumer protection is just a load of bunk. We've always been concerned about consumers. The ministry has been concerned and works very diligently with its partners and with consumer groups to look after, as best it can, the interests of all consumers. The suggestion that this government doesn't care or doesn't take any action to protect consumers is just not true.

I would commend the member for Mississauga East for bringing his resolution to the House, and the situation he refers to and the Armstrongs, who are with us today. Who wouldn't be sympathetic to that situation? But to suggest that everything can be solved and changed through legislative action in this House I think is not accurate either.

We share the concerns of the member for Mississauga East and everyone else in this House to ensure that consumers are treated fairly. We just don't think that legislation is the answer to every single situation. For that reason, I'll be joining my colleague the member for Halton North and will not be supporting the resolution.

Mr Sola: I can't believe my ears when I hear that the government members, the parliamentary assistant and the member for Sarnia, will not be supporting this resolution. This resolution was drafted in such general terms in order to avoid the criticism that was levelled at Mr Phillips's bill, which was too specific for the government. This is now too general.

The Armstrongs came to me because they said there

are no places set up to go to and give their grievances. Now I bring their grievances to this House, and apparently this House is no place for their grievances as well. The Armstrongs made a legitimate purchase, a real estate deal, and now they cannot even get a mortgage on their home, the home is in such a state. It's sitting on a pit of quicksand and it is sinking into the ground.

Mr Armstrong has told me: "I cannot afford to leave the house and rent another one. I'm preparing to go down with this house." His house is like the Titanic. It's been hit by an iceberg, which is the system; the tip appears to provide protection, but the danger lurks below.

He's not blaming the builder, he's not blaming the community; he's blaming the system. He needs help now because of the additional costs he has incurred to pay his consulting engineers, to pay his property taxes and to pay his lawyers. He states, "If we, the taxpayers, have to pay lawyers because our elected officials don't want to look after us, something is wrong."

I think the attitude of this government is wrong in this instance. It really is surprising to me, because the member for Frontenac-Addington, the government whip, has been extremely supportive in this case. He's been very sympathetic and has been extremely supportive, so I don't understand the switch in the tactics of the government.

I'd like to thank all the members who spoke in support, the members for Mississauga North, Simcoe East, Brampton South and Carleton.

The Deputy Speaker (Mr Gilles E. Morin): The time provided for private members' business has expired.

RACE TRACKS TAX AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT LA LOI
DE LA TAXE SUR LE PARI MUTUEL

The Deputy Speaker (Mr Gilles E. Morin): We will deal first with ballot item number 60, standing in the name of Mr Eves. If any members are opposed to a vote on this ballot item, will they please rise.

Mr Eves has moved second reading of Bill 130, An Act to amend the Race Tracks Tax Act. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 5-minute bell.

The division bells rang from 1202 to 1207.

The Deputy Speaker: All those in favour of the motion will please rise and remain standing until their names are called.

Ayes

Arnott, Bradley, Brown, Callahan, Carr, Cleary, Crozier, Daigeler, Eddy, Eves, Harnick, Hodgson, Jackson, Johnson (Don Mills), Jordan, Kormos, Marland, Morrow, North, Offer, O'Neil (Quinte), Perruzza, Poirier, Sola, Sterling, Stockwell, Tilson, Turnbull, Wilson (Simcoe West).

The Deputy Speaker: All those opposed to the motion will please rise and remaining standing until their names are called.

Nays

Abel, Akande, Bisson, Boyd, Carter, Christopherson, Churley, Cooper, Coppen, Dadamo, Duignan, Fletcher, Frankford, Gigantes, Haeck, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Lankin, Mackenzie, MacKinnon, Malkowski, Marchese, Mathysen, Mills, Murdock (Sudbury), O'Connor, Owens, Rizzo, Silipo, Sutherland, White, Wilson (Kingston and The Islands), Winninger, Wiseman, Wood.

The Deputy Speaker: The ayes are 29; the nays are 42. I declare the motion lost.

CONSUMER PROTECTION

The Deputy Speaker (Mr Gilles E. Morin): We will now deal with ballot item number 59, standing in the name of Mr Sola. If any members are opposed to a vote on this ballot item, will they please rise.

Mr Sola has moved private member's resolution number 42. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

The division bells rang from 1212 to 1217.

The Deputy Speaker: All those in favour of the motion will please rise and remain standing until your name is called.

Ayes

Bradley, Brown, Callahan, Cleary, Crozier, Daigeler, Eddy, Eves, Fletcher, Frankford, Harnick, Jackson, Kormos, Marchese, Morrow, North, Offer, O'Neil (Quinte), Perruzza, Poirier, Rizzo, Sola, Sterling, Wilson (Simcoe West).

The Deputy Speaker: All those opposed will please rise and remain standing until your name is called.

Nays

Abel, Akande, Arnott, Bisson, Boyd, Carter, Christopherson, Churley, Cooper, Coppen, Dadamo, Duignan, Gigantes, Grier, Haeck, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Lankin, Lessard, Mackenzie, MacKinnon, Malkowski, Mathysen, Mills, Murdock (Sudbury), Owens, Silipo, Stockwell, Sutherland, White, Wilson (Kingston and The Islands), Winninger, Wiseman, Wood.

The Deputy Speaker: The ayes are 24; the nays are 40. I declare the motion lost.

All matters relating to private members' business having been completed, I do now leave the chair and the House will resume at 1:30 of the clock this afternoon.

The House recessed from 1220 to 1331.

MEMBERS' STATEMENTS

KATIE-LYNN BROSSÉAU

Mr Michael A. Brown (Algoma-Manitoulin): With great sadness, I ask the House to spend a few moments to reflect on the untimely death of one of my youngest constituents.

Katie-Lynn Brosseau was only two and a half when

she went missing about 11 days ago. On Monday night, the darkest fears of her family and every person in Elliot Lake became reality when the body of a child was found floating beneath a dam in the Sudbury area.

Police believe Katie-Lynn died at her father's hands and that afterwards he took his own life.

For the people of Elliot Lake, this is a tragedy that has transcended all others and it is one that has traumatized a community beset by problems in recent years. From the moment Rick Brosseau's body was found and the search for Katie-Lynn was launched, residents went into action, joining search teams and raising money to bring Mrs Brosseau's family to the community. Community, church and business groups provided food for the searchers and fashioned purple ribbons to wear in the hope that this little girl would be found alive. Katie-Lynn dominated every conversation and every thought.

Throughout this ordeal, the Elliot Lake police, the OPP, Mayor George Farkouh and his council, the local news media and everyone directly involved carried out their duties with the utmost sensitivity.

As preparations for Katie-Lynn's funeral tomorrow are being made, the Elliot Lake Family Life Centre prepares to launch counselling programs for a heartsick community.

Please join with me in extending love and sympathy to Katie-Lynn's mother, Lynn Brosseau, her grandparents and other family members and friends and to the entire community of Elliot Lake as it tries to heal from this terrible tragedy.

LANDFILL

Mr David Tilson (Dufferin-Peel): Today I rise to remind the people of Ontario what Bob Rae and his NDP government have done for the residents of Caledon, King, Vaughan and Pickering. June 4 is the second anniversary of the day that the Interim Waste Authority was ordered by the NDP government to find and announce 57 sites to be considered for three superdumps in their region.

This anniversary is not one that the people are celebrating, but rather they are marking time until they have the opportunity to show the NDP how they feel about the process. Residents whose lives have been in chaos since June 4, 1992, are waiting for the day they can give the NDP government a message it can't ignore. Residents who have written the Premier and his Environment, ministers only to receive no reply, will finally be heard when they throw the NDP out of office and elect a government that listens to their concerns.

This NDP government is not allowing viable alternatives, such as rail-haul and incineration, to be explored as alternatives. A Mike Harris government will allow municipalities to decide for themselves what option is the most appropriate for their community.

This NDP government is willing to see valuable farm lands be destroyed by placing dumps on existing farms. A Mike Harris government would not let that happen.

This NDP government is willing and actively participating in a plan that will threaten the environment by placing dumps on aquifers and will destroy community life by forcing residents out of their homes and away

from their communities. A Mike Harris government would not let that happen.

The Speaker (Hon David Warner): The member's time has expired.

Mr Tilson: The NDP government must be made accountable for its disastrous waste management decisions. Ontario voters will ensure that happens.

ITALIAN NATIONAL DAY

Mr Anthony Perruzza (Downsview): I rise today to take part in the celebration of Italian National Day.

In a referendum on June 2, 1946, Italians chose to become a republic, ending the monarchy in Italy. In Italy, this is a national holiday and the official celebration is held in Rome. The parades and air shows are televised throughout this country. Here in Canada, celebrations are also held, usually on the first Sunday in June, and there are many events in which Canadian Italians participate.

There are more than 460,000 people of Italian heritage living in Ontario and they have made a significant contribution to the social, economic and cultural life of the province. The love of art, music, education and architecture which Italians brought with them from their native country has enriched each community in which they have chosen to live.

As you know, many early immigrants helped to build the homes and infrastructure that we all enjoy. Today the new generation is entering into all areas of community life, including political structures.

Remarks in Italian.

Today I join in celebrating Italian National Day with pride, in recognizing all who have made a contribution to our heritage.

ANNIVERSARY OF D-DAY

Mr Gilles E. Morin (Carleton East): On June 6, Canada will be remembering D-Day, which marked the start of the Normandy invasion in France and the beginning of the end of the Second World War.

Special dedication services and activities will be held in Toronto, Sunday, June 5, to commemorate this momentous event. I would like to thank the members for Durham East and Markham for their participation in the all-party committee which assisted in the preparation of the June 6 commemoration.

Veterans will begin to assemble at 11:25 at the veterans' reception centre located at Nathan Phillips Square. At 12:15, all participating organizations will form up at Nathan Phillips Square. The parade will then begin in the direction of the cenotaph. At one o'clock, there will be a dedication and service of remembrance at the cenotaph.

This ceremony will be a tribute to the courage of our soldiers and the sacrifices they made on the battlefields 50 years ago. We will also honour the contributions of all Canadians in collective support of the war effort.

I strongly encourage Ontarians, wherever they may be, to stop on June 6 and remember: remember not just to more fully appreciate the kind of life we enjoy in Canada, but to learn the lessons of history so that indeed history need never repeat itself.

Mr W. Donald Cousens (Markham): I am honoured

to join with my colleagues the members from Carleton East and Durham East in commemorating the anniversary of D-Day.

Following the service at the cenotaph on Sunday, June 5, the parade will move off and march through the streets of Toronto. It will march along Queen Street to Yonge, down Yonge to Front Street, and along Front to Simcoe.

Of significant importance is Union Station, where many soldiers, sailors and air crew departed for and returned from overseas. As a symbolic gesture, the marching units will pass in review and salute as they pass the Lieutenant Governor, who will be situated in front of the entrance to Union Station. A fly-past will take place as the parade marches past Union Station.

The parade ends at Simcoe Street, at which point the marchers will board buses and be transported to Ontario Place for the ceremony at HMCS Haida.

We must remember the hundreds of thousands of veterans of the Canadian and Allied forces who fought to bring an end to the Second World War, not only on the beaches of Normandy but in Italy as well and on both the Russian and German fronts.

May everyone, young and old, honour and remember the wartime sacrifices made both overseas and at home by so many. It is because of their sacrifice that we now have a free and democratic society.

1340

Mr Gordon Mills (Durham East): I appreciate the remarks made by my colleagues the member for Carleton East and the member for Markham, and I'd also like to make mention of the special contribution made by my colleague the member for Halton North.

All these people served on the all-party committee to facilitate this special occasion which will take place on this coming Sunday, marked with a special parade and ceremony here in Toronto.

HMCS Haida at Ontario Place plays a very significant role in this ceremony. Early in 1944, Haida joined the 10th Destroyer Flotilla operating out of Plymouth, England. The object of this mixed force of warships was to clear enemy shipping off the coast of France in anticipation of the D-Day landings. During this period Haida destroyed more enemy ships than any other ship in the Royal Canadian Navy. It was during this period that her sister ship, HMCS Athabaskan, was sunk with the loss of 128 lives. Haida is now an internationally recognized naval museum and a memorial to all Canadians who served at sea in the Second World War and in the Korean war.

I urge everyone here, everyone watching on television, to join with the Lieutenant Governor, the Premier of Ontario and thousands of veterans and their families on Sunday, June 5, at HMCS Haida, after the other parade, as we pay tribute in a special way to those who served Canada.

On behalf of my all-party colleagues and all the other members of the Legislature, I would like to take a moment to welcome Commander Bob Willson, in the members' gallery, and Lieutenant-Colonel Jeffrey Dorfman to the Legislature today. These two gentlemen are

the key players in commemorating the 50th anniversary of D-Day in Toronto on June 5. I thank you for your indulgence; a little over my time.

TORY LEADER

Mr Steven W. Mahoney (Mississauga West): There was an important person sighted several times around this Legislature these past few days. This man was none other than the new leader of the Ontario Progressive Conservative Party. We've read in the papers that the Tories are trying to keep this man away from the spotlight at Queen's Park, but we finally found him wandering the halls, looking a bit out of place, almost like he didn't belong.

This man represents a marked departure from what the Tories have had before in leadership positions. He is not Leslie Frost, he is not John Robarts and he's certainly not Bill Davis. He is also certainly not John Tory. He's no friend of Sally Barnes. He's never been a buddy of Hugh Segal, Susan Fish or Keith Norton.

He is the man who wrote the Tory election platform, commonly known as the American revolution, and he is the one who dropped it on the members of the Tory caucus' desk only 24 hours before unveiling it to the public. He is the man who told that caucus to like it or lump it.

He is the man who dropped the Tory logo, changed the party's name, jettisoned 100 years of history, all in the search for power and glory. He is the man who has encouraged them to embrace the extreme right. He is the man who we know the member for London North and the members for Markham and Willowdale are extremely comfortable taking their marching orders from.

You know him. You love him. The new leader of the Ontario Tories: Mike "I left my heart in New York City" Murphy.

SENIOR CITIZENS

Mr Cameron Jackson (Burlington South): The month of June is a time to recognize the many contributions to our society by Ontario seniors. I am disappointed to learn that the government of Ontario has chosen not to make a statement in the House on this important occasion on behalf of the 1.2 million Ontario seniors over the age of 65.

For that reason, I think it's fair on their behalf to remind the government of many of their needs which it has not met as a government representing seniors.

The NDP has delisted 134 slow-release drugs, many of which are required by seniors who suffer from ailments like angina and high blood pressure. It is this government that last June brought in Bill 101, which imposed and drew an additional \$150 million of increased user fees for use of nursing homes and homes for the aged beds when the government quite oppositely offered and promised them in the last election. We know they are now restricting departures from nursing homes for up to 14 days or there is a new surcharge being imposed on senior citizens.

In my community of Halton, we have the lowest number of long-term care beds in all of Ontario, and many of our families are shipped out of the region

because for four years there's been absolutely no increase in the total complement of chronic care beds, homes for the aged and nursing home beds.

Seniors' Month is June, and I believe Bob Rae should be reminded—

The Speaker (Hon David Warner): The member's time has expired.

Mr Jackson: —that what is owed to the Ontario seniors is because they have worked a lifetime and have earned it.

RIDING OF

PRINCE EDWARD-LENNOX-SOUTH HASTINGS

Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings): It's that time of the year again when summer is just around the corner, and I want to tell all the people in Ontario, because I know we have a huge viewing audience on the parliamentary channel, that they might want to come to parts of eastern Ontario, in particular Prince Edward-Lennox-South Hastings.

When you're travelling down the 401 and you come to the Wooler road, just hang a right, go south and eventually you'll get to the Loyalist Parkway, which will bring you to Prince Edward county, a very beautiful part of eastern Ontario.

If you continue along the 401, you may come to a place called Belleville—in Mr O'Neil's riding of Quinte—where you may observe signs that say you can take Highway 62 north, which will take you to the town of Foxboro, or you might want to take Highway 37 and go through Plainfield, stop at the cheese factory and pick up some cheese.

Or you may want to continue along, and you can continue along to Marysville, where you can turn south again, or north, but if you go south, you'll go to Prince Edward county. You'll hit a small town called Deseronto. It has a nice harbour. You can continue along to Napanee, which also has a harbour. You can also go along to Odesa, where you might want to go north to the Wilton cheese factory and pick up some fresh cheese, or you might want to go south down to meet up again with the Loyalist Parkway.

All of these towns and villages throughout my riding have access by road, most certainly, and some of them have access by water, including the town of Picton and the town of Napanee and certainly the small town of Bath. And you can't forget, the best part is some of the parks and farms we have within my constituency that will provide some of the best service to anybody who would like to visit Prince Edward-Lennox-South Hastings.

Hon Brian A. Charlton (Government House Leader): On a point of order, Mr Speaker: With regard to the statement made by the member for Burlington South, I should just inform him that the three House leaders have reached agreement on a unanimous consent on Seniors' Day next week.

The Speaker: I appreciate the information. Statements by ministers?

Interjections.

The Speaker: Order. Stop the clock, please. The Minister of Education and Training.

**STATEMENTS BY THE MINISTRY
AND RESPONSES
VIOLENCE IN SCHOOLS**

Hon David S. Cooke (Minister of Education and Training): Today it is my pleasure to present the Ministry of Education and Training's violence-free schools policy.

The policy addresses how school boards report incidents of violence to the police and to the ministry, how these incidents should be recorded in students' records and what elements school board violence prevention policies should contain.

Last November, I presented a series of initiatives designed to make our schools safer places to work and learn. Our government has moved quickly to meet the responsibilities to deal with violence in schools. We have taken concrete action to deal with a very difficult area. In forming our zero tolerance policy, we have consulted widely and developed a clear and consistent approach. We have laid out our expectations of how school boards and their local communities should proceed.

1350

We have covered a lot of ground since our initial announcement. On March 5, I released draft policy documents and asked for public input. In drawing up these documents, we worked with other ministries, student groups, educational representatives and the Safe School Task Force. In one of the widest-ranging consultations my ministry has ever undertaken, these policies were discussed by the people of Ontario at 18 local summits across the province. More than 3,000 people attended these summits and we received a great deal of feedback. The summit participants gave us many good ideas; we have looked at all of them in developing our final policy.

For example, many people felt that the policy needed to place greater emphasis on the problem of racism and its relationship to violence. This has been reflected in the final policy, which now lists hate-motivated violence as one of the types of incidents to be reported to the police. We have shown that we will not tolerate racism or homophobia in the schools of this province.

Feedback from the summits has also told us that our policy should emphasize prevention, so we have underlined its importance by asking that violence prevention be incorporated into all aspects of the curriculum for students from junior kindergarten to the end of secondary school. Many people felt that school board violence prevention policies should apply equally to students and staff. We have made it clear that this is the case.

While many of the views and recommendations expressed at the summits have been incorporated into the final policy document, a few others require more research before they are included. The reporting of violent incidents to the ministry will allow us to compile meaningful data on which future changes to the policy can be based.

The consultation phase of our violence prevention initiative has been most successful. Now we're going to put our policy to work. School boards must develop and revise their violence prevention policies during the 1994-95 school year and must submit them to the Minis-

try of Education and Training for approval by June 1995. Schools must implement the policies no later than September 1995. I expect, though, that many of Ontario's school boards will have policies up and running in their schools during the coming school year.

Policy development will be a process that should involve students, staff, parents and community partners. Schools and school boards must work to build partnerships in their communities with social agencies, with the police, with neighbours and especially with parents, who can play a very important role in creating violence-free schools.

Everyone in our communities has a responsibility to help make our schools violence-free. My ministry has faced up to that responsibility by developing the policy framework. School boards will do their part by creating and implementing their own policies which reflect the provincial initiative.

Students and parents must also recognize that they have a part to play in this process. They must be willing to shoulder their share of the responsibility. Students must realize that their actions will have consequences. Parents must instil non-violent values in their children. If their kids do get into trouble, parents should be there to help them find solutions and alternatives to violent behaviour.

As school boards begin to report violent incidents to the ministry and we gain a better understanding of what is actually happening in our schools, we will be able to further focus our violence prevention activities in the schools and in the community. But in the meantime, what really gives me hope is that people are starting to realize that violence is not someone else's problem. It's a problem for all of us and we must all deal with it.

If we keep our shared goal clearly before us, then I know that together we can control the violence in our schools and in our society.

AUTOMOBILE INSURANCE

Hon Floyd Laughren (Minister of Finance): I rise today to announce a policy statement under the Insurance Act to reduce auto insurance premiums for drivers licensed under graduated licensing.

Graduated licensing, which is being proclaimed June 6, is a two-level approach to help new drivers gain the skills to drive safely. It affects all new drivers in Ontario and involves restrictions for a minimum of 20 months.

At level 1, new drivers cannot drink any alcohol if they're going to drive, are not allowed to drive on Ontario's 400 series high-speed expressways and are prohibited from driving between midnight and 5 a.m. Level 1 drivers must also drive with a fully licensed driver who has at least four years of driving experience, and each person in the car must have a seatbelt.

Level 1 lasts 12 months but can be reduced to eight months if the driver successfully completes an approved driver education course.

At level 2, which lasts at least 12 months, drivers cannot drink any alcohol if they are going to drive and each person in the vehicle must have a seatbelt.

Graduated licensing is an important part of this

government's integrated approach to saving lives and reducing accidents on the province's roads. A recent survey by the Ontario Insurance Commission estimates that graduated licensing will reduce accidents among first-year drivers by 10% to 20%.

While our main focus is road safety, graduated licensing will also reduce the claims cost of auto insurance companies. The Insurance Commission estimates the reduction in accidents will decrease claims by about \$34 million to \$40 million annually. We believe these savings should be passed on to drivers who progress successfully through graduated licensing.

Under the policy statement I'm announcing today, level 1 drivers will not be charged insurance premiums. Level 2 drivers will be rated by their insurance companies to determine the cost of their premiums. Drivers entering level 2 will receive the benefit of a reduction of about 10% on their private passenger auto insurance premiums for one year. To qualify for this reduction, a driver cannot have any driving convictions or at-fault accidents at level 1. Discounts for driver education will also be applied on top of the 10%.

After completing levels 1 and 2, drivers will have built a two-year driving record, which is considered by insurance companies when setting premiums. Drivers who successfully complete this two-tiered program and acquire full licence privileges will also receive a reduction of about 10% for one year. To qualify, they must have had no driving convictions or at-fault accidents. Driver education discounts will also apply.

We believe these reductions are fair treatment of new drivers with restricted driving privileges. We believe the safer driving habits that this program encourages will benefit everyone who uses Ontario roadways.

VIOLENCE IN SCHOOLS

Mr Robert Chiarelli (Ottawa West): I'm going to respond to the Minister of Education and Training's statement. Under this government, youth crime has increased dramatically and violence in our schools has increased dramatically.

This statement today is of little substance. Basically, what we have is a downloading of the problem to local school boards. There's little clear direction and there is absolutely no comment with respect to resources.

This government has withdrawn resources, by reason of the social contract, from the school boards, resulting in the inability of school boards to provide the services necessary to assist principals, teachers and students. Now all it does is come in with a motherhood statement and set a deadline for school boards to come up with a policy. That is not good enough.

We need clear guidelines. In our paper *Better Schools* we indicate that we require zero tolerance of violent and abusive acts in our schools, recognizing that there will be a range of consequences for such behaviour, establishing with school boards, students, parents and communities clear standards for conduct in all schools and using the local school councils to involve parents, students, community representatives and teachers in a development of programs to make sure the standards are being met.

We even have a program here in Toronto, in the Etobicoke school board, where they're trying to implement a student Crime Stoppers program. This has been implemented in 20 schools in Edmonton and has proved very, very successful. This pilot project in Etobicoke has asked this government for very modest assistance for this Crime Stoppers program. This government basically is closing the door on them.

What this government is doing is talking motherhood. It's downloading the problem of resources, it's downloading the problem of policy. It has done absolutely nothing with this policy document, other than saying to the school boards, "By 1995, have a policy." They need to be clear, they need to take control, they need to show leadership and they definitely need to indicate in some fashion reallocated resources or new resources so this terrible problem can be solved.

I'm a parent of three kids in elementary and high school. I know the problems they come home with. I know the fears students have. I can relate to the problem parents have with respect to violence in our schools. When one examines the statement that this minister has made today, there is nothing there, other than a timetable for school boards to come up with solutions.

We want a statement on resources, we want clear policies, not a couple of generalities which this minister has mouthed here today, and we're going to hold this minister accountable on behalf of the students and the parents in this province.

1400

AUTOMOBILE INSURANCE

Mr Murray J. Elston (Bruce): I rise today to comment on my colleague the Finance minister's announcement of premium reductions for the graduated licence holders in the province of Ontario.

I suspect that this announcement has got something to do with the fact that they had to have some good news to coincide with the implementation of the graduated licence program.

What this gentleman has done today is said, "I haven't got a clue what the price of insurance will be for these individuals but I can tell you all that I am prepared to state unequivocally that it should be about 10% less than whatever you hear it is."

It seems that this gentleman doesn't need the rate-setting abilities of the Ontario Insurance Commission. He doesn't care what they decide is relevant. He has said, "I, Floyd Laughren, the Finance minister, say that no matter what anybody else thinks it should be, I think it should be 10% less."

Is there any other indication in this world of ours that this government is on a roll towards the ballot box? This appears to be one of his first attempts to garner favour by using, as the Finance minister has often done, somebody else's money to make him look like he's doing a great job.

I think that he should be the first to give us all his advice on whether or not the public in Ontario should give the New Democrats a minimum of 10% less support over the next election, and maybe even less than that.

VIOLENCE IN SCHOOLS

Mrs Elizabeth Witmer (Waterloo North): My response is to the statement made by the Minister of Education and Training. Although I appreciate the announcement today, I would have to indicate that this announcement is long overdue. It simply is a commonsense approach to a problem.

In fact, it's a problem that our leader, Mr Harris, has been identifying now since early 1993. He and our colleague the critic for Education have asked numerous questions on this issue since that time and they have received virtually no response from the minister on this particular issue. However, having said that it's long overdue and we do appreciate that it's here, there's certainly a great deal missing from the announcement today. I would like to focus on what's missing.

The minister has indicated, "We will not tolerate racism or homophobia in the schools of this province." I find it surprising that you would highlight those two issues. I don't see that they're key to the schools in this province. Your own colleague, the minister responsible for women's issues, talked about sexual harassment not too long ago and you have chosen not to include it as being a very serious cause of concern. I'm certainly quite disappointed that this doesn't rate with racism and homophobia. Obviously, it isn't an issue that you're concerned about.

Also, what's not happening is that you haven't listened well to the parents in this province or to teachers in this province. They are asking you to take a look at the issue of prevention. We know there is a correlation between violent behaviour and the media, yet this government refuses to take any action whatsoever.

I introduced a private member's bill asking that we introduce a rating system for computer games and video games, in order that children would not be exposed to adult games. This government has elected to do absolutely nothing.

I would suggest that you do take action. This announcement today has been five years in coming.

AUTOMOBILE INSURANCE

Mr David Johnson (Don Mills): We have suffered with this government through the issue of government-run auto insurance. That was a disaster. A year ago we were told that through the new auto insurance plan this government promised rate stability, to hold the line on rates. What has happened over the past year? The rates have gone up by 17%. Motorists in the province of Ontario have been inflicted with 17% increases. The provincial sales tax has been applied to auto insurance.

Our critic, the member for York Mills, has been urging the government to implement the graduated licensing system. The Insurance Bureau of Canada has been urging the government to introduce the graduated licensing program. Now they have been betrayed. This is the treatment they get.

This is simply for political gain, to balance the fact that the fees have been increased by up to \$125. The insurance industry has said, "Let's get the experience; let's find out how much saving there is," and then the

insurance industry would pass that along to the motorist through lower rates. That's the way it should work.

If we do not have the experience of the lessening of accidents through this program, then the motorists in the province of Ontario will be subsidizing this program to the tune of up to \$40 million a year. Is that fair? Should the motorists of the province of Ontario be subsidizing the graduated licensing system?

If the experience is good and if accidents have been decreased, then why not let the insurance industry pass along, as it said it would, as it's committed and it has worked with you on, the lower rates here in Ontario?

Mr David Turnbull (York Mills): Having sat throughout the graduated licensing hearings, I know that the insurance companies committed to reducing premiums when and if experience showed that it was appropriate. They have been betrayed by this government because indeed it was the Insurance Bureau of Canada that first suggested that graduated licensing would save taxpayers money and would save lives, and this is the thanks it gets. Before there is any experience, the government is mandating this for crass political reasons.

ORAL QUESTIONS

TVONTARIO HEADQUARTERS

Mrs Lyn McLeod (Leader of the Opposition): My first question is for the Minister of Culture. Minister, we were a little bit surprised yesterday, when we again asked you about possible plans for a new building for TVOntario, that the Premier seemed to be particularly anxious that we ask him that question very directly.

Minister, we're just wondering today exactly who is in charge of TVOntario, who is making the decisions over there and who is responsible for answering the questions.

Hon Anne Swarbrick (Minister of Culture, Tourism and Recreation): It's true that the Premier has certainly expressed his inclination on this issue. I've also made it very clear what my own consideration in this issue is, and that's that one of the many factors we will be considering when eventually the recommendations come from TVO of what options they want to present to us is that in the political process of decision-making, clearly one of the issues will be the glut on the real estate market.

The recommendations haven't come to us yet, so obviously it's very premature to make a final decision on this issue.

1410

Mrs McLeod: Minister, our confusion on who is responsible continues, and you will understand why. This is now the third day in a row on which you have indicated that TVOntario is looking at a variety of options for relocation and you have refused to rule out the possibility that building a brand-new building is one of the options that they're considering. But it was equally clear outside this House yesterday that the Premier said there was no new building in his plans.

Minister, I ask you, how do you reconcile what you continue to tell this House with what the Premier has said, and does TVOntario know that there is no new building in their plans?

Hon Ms Swarbrick: The Leader of the Opposition

used to be a cabinet minister herself, so I'm sure that she will recall that an agency of the government first seeks approval to pursue developers' proposals in a situation like this.

TVO sought and received their approval three years ago to undertake the kind of extensive public tendering process about which another member of the opposition asked me yesterday: "Would you please make sure there's an open process embarked upon?" Throughout that open process, 85 different developers submitted proposals for some new and some old buildings.

Eventually, over those three years, it went down further and further till, when I was minister and was originally briefed, we were down to eight different developers submitting proposals. More recently, I understand TVO is getting down to three to eventually be able to present to us its various options.

As the former minister, who is now Leader of the Opposition, well remembers, TVO will make a recommendation. I will consider that recommendation. I will then take that recommendation to treasury board. Treasury board will make a recommendation to cabinet. Ultimately, it will be a full cabinet decision that will result in the decision on this case.

Mrs McLeod: Minister, let me see if I can take this down to the basic issue that is before us today. You're right. I have had the experience of being a cabinet minister responsible for the direction within my particular ministries. I was also aware, as a cabinet minister, that the Premier had the ultimate responsibility for the direction of the government. Your Premier said yesterday that when it came to TVOntario's relocation, there was no new building in his plans.

There certainly seems to be some confusion lingering in your responses and in what TVOntario is doing. TVOntario has been making plans for a new building, and we have a letter that details the negotiations that had been going on between TVOntario and the city of Toronto for the necessary planning approvals and for building permits.

This letter indicates that TVOntario has been considering two sites, very specific sites, the Molson Breweries site at Bathurst and Lakeshore and CN railway land at Front and Spadina. It appears that TVOntario's plans are a long way down the road, and they most certainly include a new building in a city that has a 20% vacancy rate.

Minister, I ask you, since it appears that the Premier has taken over this particular project and since the Premier says that there is no plan for a new building for TVOntario, will you now, as the minister responsible for TVOntario, tell TVOntario to stop planning?

Hon Ms Swarbrick: The Premier made it clear that a new building is not in his plans, and that's true. He has no plans for a new building for TVO.

TVO is obviously looking at what its considerations are throughout this three-year process of looking at facilities that will be suitable for it as a broadcast facility.

I would ask the Leader of the Opposition, whom I'm sure is also a friend of TVO, to consider the fact that we

are not talking here about an office building. We're talking here about a broadcast facility with very special needs. Whether those special needs will be able to be met by an existing building or not is part of what we'll have to consider.

I have made it clear in media scrums in this House—not all media coverage has covered this—from day one that once the recommendations eventually come for consideration from this government, one of the political considerations we will clearly be considering is the glut in the real estate market.

This is the first government in over 50 years to two years in a row reduce the cost of expenditures in this province. This is the government, it seems to me, based on its record, that the taxpayers can trust, more than the free-spending Liberals, more than the free-spending Conservatives before them—

The Speaker (Hon David Warner): Would the minister conclude her response, please.

Hon Ms Swarbrick: —to look after the interests of the public purse and we will do that on this issue.

The Speaker: New question.

Mrs McLeod: The minister invites me to answer the questions that she asked, and I would be more than happy to do that, but our question stands: Who's in charge, the minister, the Premier or TVOntario?

YOUNG OFFENDERS

Mrs Lyn McLeod (Leader of the Opposition): My second question is to the Attorney General. Minister, as you're well aware, the federal government will today—

Interjection.

Mrs McLeod: Mr Speaker, the minister indicates that she cannot hear the question because of the noise in the House.

The Speaker (Hon David Warner): Order.

Mrs McLeod: Minister, as you are well aware, the federal government is today going to introduce amendments to the Young Offenders Act. These changes will toughen the laws regarding young criminals. We understand that the changes will include stiffer sentences for violent young offenders and a greater provision for trying young individuals accused of violent crimes in adult court.

I believe these proposals have a great deal of support among the people of this province. The public have certainly told us that we need stronger measures to deal with young people who are involved in violent crime.

I ask whether you have heard these same concerns and whether you agree with these proposed changes to the Young Offenders Act and agree that they are needed.

Hon Marion Boyd (Attorney General): The member is quite right that the federal Justice minister has, and I understand did this morning, introduced amendments. We haven't seen the actual amendments, although when we wrote to the federal Attorney General in early May, we asked to see a copy of the draft bill so that we could comment in more detail on the actual wording of the bill.

However, I did respond to the minister in some detail around the outline he had provided about what he was

proposing to do, and in fact have talked about that here in this House a number of times. Let me read you a paragraph of that letter to give you a flavour, and you may want to ask additional questions.

"Ontario believes that the YOA must be made more effective. Amendments are needed, especially in relation to serious violent crime. In particular, Ontario is concerned that existing maximum sentences are not sufficient. Ontario is also concerned that the existing provisions for transfer to adult court need to be strengthened to ensure that in appropriate cases charges of violent crime will be transferred. In addition, Ontario wants to address widely held concerns about the inappropriate use of custody for relatively minor, non-violent offences."

We go on in some detail on a number of different issues that were specifically mentioned by the minister.

As I have said in this House a number of times, we are supportive of the changes in general. We want to see the actual wording of the amendments. As soon as we have a chance to study those, we will be responding with any concerns that we have about the wording or the application of those. But we have certainly pledged ourselves all along—

The Speaker: Would the minister please conclude her response.

Hon Mrs Boyd: —to be as cooperative as we possibly can with changes that meet the needs of the province in applying the Young Offenders Act.

Mrs McLeod: I appreciate the minister's response because I believe, as I've heard her, it does help to clarify a previous position that the minister was reported to have taken publicly.

Minister, when you were in Ottawa last March at a meeting of provincial justice ministers that was convened by the federal minister to get your views on juvenile crime, it appeared that you were resistant to toughening the Young Offenders Act and, quite clearly, that you did not support tougher sentences.

I just ask you again whether or not that was an accurate reflection of your views at that time, whether you continue to have reservations about the specific recommendations, whether in fact you have changed your position. Are you telling us that now that the federal government is acting to change the Young Offenders Act, you are prepared to support—I ask you specifically: Are you prepared to support these proposed changes?

Hon Mrs Boyd: I am not going to say holus-bolus that we will support a bill that we have not seen. This is an excuse the member always uses when she's asked if she will support legislation, and I certainly am not going to say that I will support everything in those amendments.

The letter that I read from is dated May 9. That was at or about the time of that conference. I have made it clear again and again that we are very supportive of the need to strengthen the Young Offenders Act. What we need to do, as the body that has to apply that act, is talk about the problems of that, and that is what we did as a province.

There are problems with mandatory sentences that go

longer than five years less a day, because that requires jury trials, which now are not the rule for people who are in the youth justice system, as the member is well aware. That's a problem for us in the administration of justice, and it's a problem for the federal government because it means that section 96 judges are the ones who have to try those cases. We have a mutual problem in terms of how to administer justice in those cases if those young people are to go through the youth court. I would remind the member that the red book says they want to strengthen the youth justice system, and that then presents a problem and it is our obligation to point out that problem.

1420

The other problem exists in terms of where young offenders are incarcerated. A 10-year period is a very long period of time if someone is incarcerated for that period of time as a young offender. When do they get transferred to an adult facility and under what circumstances?

The Speaker: Would the minister please conclude her response.

Hon Mrs Boyd: Those are concerns we raised. We did not have concerns about the need to strengthen the sentencing. We did raise concerns about how to do that.

Mrs McLeod: I'm a little less clear, given the minister's second response, than I thought I was after the first response, because there were some very specific recommendations that I'm sure the minister is aware of.

One of those recommendations was increasing not mandatory sentencing but maximum sentencing from the five to 10 years, and the other was that there would be an automatic trial in adult court of young offenders, I believe, convicted of first- and second-degree murder unless requested by the province to not be tried in adult court. I was looking for the minister's support for those changes, which she had indicated some resistance to earlier.

The minister is right, and it's the reason for raising the question, that the changes that are being introduced in the federal House today, once passed, will still have no impact unless provincial prosecutors are directed to pursue them vigorously, and that can only happen with the support of this Attorney General.

Minister, we have already expressed some concern about a failure to act on anti-crime laws. Yesterday we expressed our concerns about not rigorously enforcing anti-stalking laws. I remind the minister that, on that issue, the anti-stalking laws that were implemented last year have not been followed through by this minister by telling crown prosecutors not to plea-bargain the stalking charges away. It is similar that the young offenders laws changes will have no impact unless this minister issues clear directives.

The Speaker: Could the leader place a question, please.

Mrs McLeod: Minister, on this issue are you prepared to be tough, and will you take the necessary steps to ensure that the changes to the Young Offenders Act are rigorously enforced in Ontario?

Hon Mrs Boyd: As usual, the Leader of the Opposi-

tion has her facts quite wrong. In fact, the proposal that the federal minister brought to us was mandatory sentencing for first- and second-degree murder for youth offenders of 10 and seven years respectively, not maximum sentence.

The actual wording of what he has introduced today I don't know, because he has written me a letter, which I received today, which simply says the proposals will lengthen sentences in youth court for youth who commit murder and provide greater control over young offenders in the community. I need to see his amendments before I can comment on them.

I have also made it very clear from the beginning on this that of course we will apply the federal law, as we do all the federal laws, and that there is no question about that. We have very vigorous prosecution in this province and take serious and violent crime very, very seriously. We know how concerned the public is and how concerned all of us are in this place about violent crime.

The last thing the member said is that we plea-bargained away stalking charges. I have looked into the case the Liberal House leader brought forward yesterday. In that case, under the criteria set out in the Martin commission report in terms of early resolution, we did not have a reasonable prospect of conviction on those charges but did have a prospect of conviction on other charges, and those were the ones we proceeded with.

GOODS AND SERVICES TAX

Mr David Johnson (Don Mills): My question is to the Minister of Finance, and it concerns the draft report from the all-party finance committee in Ottawa. According to the draft report which was disclosed yesterday, it appears that Ottawa will not be scrapping the GST. Instead, apparently they intend to bury the tax, to change its name and to broaden the base. Minister, my question to you is, do you support that approach?

Hon Frances Lankin (Minister of Economic Development and Trade): This is like a backbench question.

Hon Floyd Laughren (Minister of Finance): I appreciate that question from the government member.

I must say when I read that press report, my immediate reaction was one of disbelief. I thought, "There goes the press again, goofing up," because I remember very clearly that the federal government said it was going to abolish the GST. I have heard nothing different from them since they made that commitment, so I assume that the press report is wrong.

Mr David Johnson: I guess it would have to be the press report or the red book, one or the other.

As you know, Minister, the Ontario Progressive Conservative caucus has consistently called for the harmonization of the federal GST and the provincial sales tax for some time. I'm thinking back to January of this year. The Canadian Manufacturers' Association apparently informed you at that point, and I'll quote exactly what they said, "The longer it takes to introduce a harmonized sales tax, the longer Canadian manufacturers remain at a competitive disadvantage in domestic and global markets."

I wonder, do you agree with this assessment, number one, and again, do you support the harmonization?

Hon Mr Laughren: The whole issue of the GST and harmonization, as the member will understand, is before the federal all-party committee in Ottawa, on which there's a very good representation from among the 99 Liberal MPs from the province of Ontario, and of course the chairman of that committee is none other than Mr James Peterson.

I did say to the federal Minister of Finance, to whom the committee will present its report, that we were very anxious to hear what they were going to propose once they'd received that report and had a chance themselves to look at it. I don't know, quite frankly, whether the government, when it receives the report, will act on what its recommendations contain or will have an entirely different agenda. What I said to the federal Minister of Finance is that, when they're ready to bring their proposal forward on the eventual solution to the problem of the GST and what will replace it, we would be quite prepared to sit down and talk to them about it.

Mr David Johnson: I guess, as you say, we'll wait to see what those 98 Liberals come up with. But 50 of the largest national trade associations have organized into a coalition with regard to the GST. I'm sure you're aware of this coalition. They have called for a harmonization of the GST and the PST to avoid the duplication and the impact on business. I'm speaking in terms of organizations such as the Ontario Chamber of Commerce, the Ontario Hotel and Motel Association, the Retail Council of Canada and on and on, some 50 organizations.

Minister, the fate of the harmonization will be discussed at your meeting of finance ministers coming up this month, I believe June 28. My question to you simply is: At that meeting, what will you be pushing for? What motions will you be pushing for, and will the harmonization be one of your priorities at that meeting?

Hon Mr Laughren: The report was originally scheduled to be completed by June 1. I understand now that there has been a delay in when the report will be completed. The last date I heard was June 21, so I'm not sure whether it'll even be done in time for the finance ministers' meeting at the end of June.

I think the member for Don Mills would agree with me, and I do appreciate his question, that until we see what the federal government intends to do, exactly how it intends to replace the GST, it would not be a particularly wise negotiating strategy for me to say at this point exactly what we intend to do.

The Speaker (Hon David Warner): The honourable leader of the third party.

Mr Michael D. Harris (Nipissing): That really is the politics effect: "Don't tell anybody what we believe in and what we stand for. Let's wait until after elections till we find out."

1430

YOUNG OFFENDERS

Mr Michael D. Harris (Nipissing): My question is to the Attorney General. Earlier today, Attorney General—it has already been commented on in the House—the federal Minister of Justice announced long-overdue changes to the Young Offenders Act. As you know,

we've been calling on you for some time to push the federal government to toughen the act.

Quite frankly, we were disappointed earlier this year when it was reported that you were calling for greater leniency at the attorneys general meeting. I heard your response today to the leader of the Liberal Party that a month and a half or two months after that meeting, somebody in your party suggested that was the wrong approach. You wrote a letter and I heard some of the comments you made in the letter.

I also understand you've said you want to wait until you see the legislation. You don't trust Mr Rock, who outlined it in detail today. You'd like to see the legal wording, and that's fine.

As I guess you believe the reporting of your meeting was inaccurate, can you tell me and this House what it is you did lobby for at that attorneys general meeting back in March?

Hon Marion Boyd (Attorney General): I certainly can. Some of it is reflected, at least as I read Mr Rock's letter; that is, in terms of the whole attention to the lower end of the scale, the less serious offences, the ones that do not involve violence against individuals, to really look at how we can deal with that more effectively and in a way that does not automatically consign those who are convicted to any form of incarceration but deals with some reconciliation within the community, some community service, some other way of changing their behaviours. That was the major thrust of what we were saying.

It's hard for us as provinces to do the kind of work we want to do in reallocating our resources to deal more effectively with serious and interpersonal violence when we have our system in a state that is really dealing at very great length and with great cost, in the legal aid area, in the cost of incarceration and so on, with crimes that are relatively minor property crimes and are in fact crimes that are better dealt with in a different way.

I'm very encouraged, as I read the information I received from Mr Rock today, that this is a big part of what they are planning to do, and I can certainly support that.

The Speaker (Hon David Warner): Could the minister please conclude her response.

Hon Mrs Boyd: We also talked about the issue of exchanging information about young offenders. I understand there's been some change in terms of how the information can be transferred between police and school authorities. That is a very interesting part of it. How to coordinate youth services was another issue, that these need to be integrated across the health, social services and criminal justice systems, not maintained simply within the criminal justice system.

Mr Harris: Minister, our caucus was somewhat disappointed with the federal package that was announced. Yesterday we tabled a motion urging you to publicly lobby the federal minister to bring forward eight specific amendments. One of our amendments that we introduced yesterday, which was not included in the federal package, lowers the maximum age for a young offender from 18 to 16. This would mean that all

offenders older than 16 would be tried in adult court, they'd be subject to stiffer sentencing and they would not be protected by a publication ban. Will you, on behalf of all Ontarians, urge the federal minister to bring forward this amendment?

Hon Mrs Boyd: No. It should not surprise anyone in this House or in this province that the agenda on social and criminal justice of the New Democratic Party is very different from that of the Progressive Conservative Party. We basically are saying that we do not see the destruction of a youth justice system as the necessary and obvious way in which to achieve the kind of attention to serious violent crime by young offenders.

We think the federal government's changes today are ones we will be able to support. We assume we will be able to support them, with the information we have, unless there's some surprise when we see the full reading of the bill. And we are delighted that the federal government has said we will continue the in-depth study of the rest of the act to see what can be done in terms of some of the other concerns that we have brought up and that other provinces have brought up.

So my answer is no. I will not be lobbying along the lines of your party, but I will certainly be lobbying along the lines of our own criminal justice policy.

Mr Harris: The problem, you see, is this: The New Democratic Party, and on this issue supported by the Liberal Party, does not represent the viewpoints of Ontarians, and I believe it is your job as Attorney General to take the viewpoints of Ontarians forward to lobby the federal government—not your own ideology, not what you think, not what the NDP thinks; what Ontarians are asking you to do.

We also believe that repeat young offenders should be dealt with more strictly. We believe that once a young offender has been convicted of two offences, any subsequent offence should be tried in adult court. This means that repeat youth offenders would be subject to stiffer sentencing, be subject to having a permanent record and would not be protected by a publication ban. Minister, will you lobby the federal minister to bring forward this three-strikes-and-you're-out amendment to the Young Offenders Act?

Hon Mrs Boyd: No.

MINISTRY OF ENVIRONMENT AND ENERGY SPENDING

Mr Steven Offer (Mississauga North): I have a question to the Minister of Environment and Energy. I'm sensitive to the earlier protestations made by the Minister of Culture, Tourism and Recreation about free spending, because indeed my question concerns some questionable spending by your ministry.

I have in my hand a copy of an invitation which has been extended to all employees of the Ministry of Environment and Energy to attend a party to honour the passage of the Environmental Bill of Rights in this Legislature, and this party is going to be held in your office on Friday, June 10, in Toronto. The invitation indicates that there is going to be, along with refreshments, entertainment. This is an invitation which has been

extended to every employee in the Ministry of Environment in this province. Minister, can you tell me how much the ministry expects to spend on this gala event, and how can you justify this expenditure?

Hon Bud Wildman (Minister of Environment and Energy): I'm not sure the member really understands how large my office is, but I don't think it can accommodate all the members of the ministry staff, even on a whole day, Friday.

I think all of us in this House celebrate the passage of the Environmental Bill of Rights, which, as Pollution Probe has said, is the first and most significant piece of legislation passed in environmental protection in the last two decades in Ontario. It is something we should all celebrate.

The member asked specifically for the amount we expect to spend on this reception. I don't have that figure with me, but I will obtain it for him.

Mr Offer: While the ministry and the Minister of Environment and Energy are frivolously spending money to pat yourself on the back, I would like to inform you that your emergency response program has been gutted. According to a confidential document we have received, your ministry, as you are partying next Friday, intends to drastically change and reduce the emergency response program, which is designed to respond quickly to emergency situations involving spills of hazardous materials. Under the new program, your ministry will be less prepared to handle spills of hazardous toxic materials should they happen to occur after 10 pm on weekdays or any time on the weekends or holidays. How can you justify the spending of money for a party for all your employees this June 10 while at the same time gutting the emergency response program which is designed to respond to toxic spills in this province?

Hon Mr Wildman: The member is just being silly. The fact is that we are not gutting the emergency response of the ministry. The member also should be fully aware that the expenditure for the reception planned for June 10 has no significance one way or the other in terms of the decisions around the expenditures with regard to emergency response.

And his suggestion that in some way or other we are attempting to pat ourselves on the back misses the point. In fact, if we're patting anyone on the back, we're congratulating the people who participated in the task force that designed the Environmental Bill of Rights: the environmentalists, the representatives of the business community, as well as government representatives. Frankly, if the member is so concerned about the party, he's welcome to attend.

1440

CHARITABLE GAMING

Mr Ernie L. Eves (Parry Sound): I have a question of the Minister of Consumer and Commercial Relations. Minister, it's my understanding that an order in council is soon to be passed allowing for the establishment of a permanent bingo and Monte Carlo facility on Scugog Island. I further understand that the province has been in negotiation with the Mississaugas of Scugog Island First

Nation for approximately one year now, yet the township of Scugog was only informed of this development late last week.

Mr Gordon Mills (Durham East): That's not true.

Mr Chris Stockwell (Etobicoke West): Hey, kick him out.

The Speaker (Hon David Warner): Order.

Mr Eves: I learned yesterday not to rise to that bait, I hope, if I've ever learned anything. Anyway, I'll deal with the member for Durham East later.

Mr Mills: On a point of order, Mr Speaker: A year ago I told the mayor of Scugog township about this development. That's not true, what he said.

The Speaker: The member does not have a point of order. The member for Parry Sound with his question.

Mr Stockwell: Withdraw, Gord. Withdraw.

Mr David Turnbull (York Mills): Throw him out, Mr Speaker. You heard what he said.

The Speaker: The member for Durham East knows better. Would the member simply withdraw the unparliamentary language.

Mr Mills: I will not withdraw that, because it's the truth.

Interjections.

Mr Mills: That is a lie. What he said, that's a lie. I'm not going to withdraw that under any circumstance.

The Speaker: The member is named. Mr Gordon Mills, you are named. Please leave the chamber, and you may not attend the committees thereof for the balance of the sitting day.

Mr Mills left the chamber.

The Speaker: The honourable member for Parry Sound with his question.

Interjection: You're next, Ernie.

Mr Eves: I'm not withdrawing.

Interjections.

The Speaker: Order.

Mr Eves: If I may continue, relying upon the advice that the municipality has provided to the Premier and to myself and others today, the minister should be aware that the township of Scugog adopted a resolution yesterday and wrote to the Premier to express their various concerns about the lack of information, despite what the member for Durham East says, provided to them on this issue.

These concerns include: adequacy of well water in the area; soil capability of handling an adequate septic system; a study to determine whether there's adequate hydro; a capability of providing emergency services of fire, police and ambulance; a study to determine the impact upon adjacent property owners; a traffic study to determine the impact of additional vehicles per day on the road, because it's already carrying to its capacity, and so on.

Why did the minister not advise the municipality of this permanent charitable gaming facility application earlier so it could have some input with respect to its concerns?

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): I believe the member already got his answer from the—I'm playing second fiddle here today.

It was my understanding, seriously, that the community was informed, that the member did inform the community and that the first nations also consulted with the community.

I also, you will recall, on June 29, 1993, I think it was, announced here in the House that I, the minister, on behalf of the government, had signed the gaming agreement with the Mississaugas of Scugog Island. It was our very first agreement on a charitable gaming agreement, which we have been working on for some time with a number of first nations over Ontario. This was our first agreement which was signed, and since then we have been working on a gaming code, which isn't quite complete.

My understanding is that the community was made aware. I also understand, however, that there have been some recent concerns expressed.

Mr Eves: I would say to the minister that she and the member for Durham East are at opposition with what the township of Scugog says. I wouldn't want to be wrong, so I'm going to quote directly from their letter to the Premier and I'm going to quote directly from their resolution. Part of their resolution says—

Interjection: Part?

Mr Eves: Well, I could read the whole thing, but I imagine the Speaker would cut me off.

"Whereas there has been no consultation process with the council of the township of Scugog or the regional municipality of Durham with respect to the possible adverse impacts with respect to the following," the ones I just read to you, "and whereas there has been no process of information provided to the public or the municipality by the provincial government...."

Hon Floyd Laughren (Minister of Finance): What about the letter?

Mr Eves: The letter would not help you, trust me, Floyd. The letter that was written to the Premier gives a quote by the Minister of Municipal Affairs on May 16, which says almost exactly the opposite. It says that "the government will consult with all municipalities and interested groups in any such applications of this sort."

The municipality obviously feels it has not been consulted with, so if the member for Durham East knows they were contacted and consulted with, he knows something which seems to be at direct odds with what the township has put in writing to the Premier today.

The Speaker: Could the member place a question, please.

Mr Eves: Will you now honour the request in the letter to the Premier, which requests that on behalf of council you withhold the granting of any licence until all the issues they have raised can be addressed? Will you go that far?

Hon Ms Churley: When I became aware that there were some concerns in the community outside the

reserve, I did meet with the chief and we discussed some of those concerns, after which we organized a meeting to which several of the community leaders were invited, including the local MPP. That meeting was held I think within the last week or two, and many of those—

Mr Eves: Last Friday.

Hon Ms Churley: Okay, and many of those concerns were expressed. It's my understanding—I couldn't go myself but one of my staff did attend—that there were some agreements reached at that time in terms of dealing with some of the concerns that were raised. It's still my understanding that this is the process, and the chief committed at that time to continue consulting with and working with the community to make sure those concerns are addressed. Over time, if more problems or perceived problems come up, he also committed to continue working with the community to deal with those problems.

NORTHERN HEALTH TRAVEL GRANTS

Mr Gilles Bisson (Cochrane South): My question is to the Minister of Health. Madam Minister, you would know that your ministry and this government made changes to the northern travel grant starting last February in terms of referring people outside of northern Ontario for medical services.

As of late, a number of people have come by my office whose children have to travel off to specialists to deal with a number of diseases and injuries etc that pertain to children. The problem, simply put, is this: In communities like Timmins and Sault Ste Marie and Sudbury we have a number of specialists within our own communities, but in many cases those specialists don't do subspecialties such as paediatrics. There is a number of parents whose travel grants have been denied because of that situation. Even though they're supposed to get paid a travel grant if they don't do a subspecialty, they're being rejected. Could you please clarify for the people of Cochrane South what you plan to do to resolve this?

Hon Ruth Grier (Minister of Health): I'm glad to address this question because, as members of the House will know, we have changed the northern health travel grant in order to require that people are referred to the closest possible specialist, as the member has said. Within that, there is the subspecialty of paediatrics, and while somebody may be listed as a specialist, they may in fact not deal with children's services.

I want to assure the member that the intent of the program is to enable people to go to the closest specialist who deals with their particular problem, which means of course that they have to find the closest paediatric specialist if that's the care they need. If, as the changeover has occurred, people have had difficulties in getting compensation or payment for their travel, we would certainly be prepared to address that issue.

1450

Mr Bisson: I wonder if you can clarify not only for the people of Cochrane South but for the people of northern Ontario exactly what your ministry plans to do in order to be able to address this problem.

Hon Mrs Grier: We certainly have been discussing the problem with agencies. For example, I know the

member received a copy of a letter the Easter Seal Society had given to me pointing out some of the problems. We have been working within the ministry to ensure that we have an accurate list of all the specialists and those who treat paediatric patients as well as those who don't. We are currently calling all the orthopaedic specialists in the north to confirm who is treating children and who is not so that we will maintain our current list as up to date as we possibly can. As I said in my response to his first question, if people feel that there have been errors made in the way in which their grant application was dealt with, we want to know about that and will correct those errors.

JOB CREATION

Mr Hugh O'Neil (Quinte): My question today is to the Minister of Economic Development and Trade. Minister, as you know, on March 22, I brought to your attention a 16-page report, which I sent over to you, from the unemployment insurance offices in Trenton and Belleville outlining the many layoffs and plant closures in the Quinte area. On that day, I asked you what measures your government was taking to assist the residents of eastern Ontario to get back to work, specifically in our area. In your response, you stated that you would be pleased to sit down and look at the list and look at particular issues of assistance. That was two months ago.

On Tuesday, May 31 of this week, Quaker Oats Co of Canada, in a notice which I have here today, announced the closing down of its plant in Trenton, affecting between 160 and 170 hourly and salaried employees. In addition, the restructuring will involve cutting back between 50 to 60 salaried jobs throughout the company.

Minister, as you also know, over the last four years it is estimated that close to 3,000 jobs have been lost in the Quinte area. I have raised this matter with you on previous occasions, in the past, outlining the severity of the unemployment issue in my riding. To date there have been no results. Residents in my riding are losing hope.

Minister, what are you prepared to do to assist residents of Trenton and the Quinte area in job creation?

Hon Frances Lankin (Minister of Economic Development and Trade): The member opposite makes reference to a question that he raised in the House earlier and information that he provided to me with respect to plant closures and job losses in the Quinte area and beyond. I undertook at that point in time to review those and to indicate to him of what assistance we had been or could be with respect to those particular projects, and did provide that feedback to him, responded to him in detail about the kind of contact we had had through the Eastern Ontario Development Corp or through MEDT staff offices in all those cases.

I also take seriously the comments the member makes with respect to the impact the recession has had in eastern Ontario and have been working with people in the cabinet secretariat, jobs secretariat, to undertake an eastern Ontario regional overview in which we have looked at the nature of industry and the various diverse industries in various parts of eastern Ontario, the impact of job loss, where we've been able to be of assistance through strategic investment, the kind of infrastructure

investment that's been necessary, the jobs created out of that, and what themes come from that in terms of areas of government assistance that can leverage the most benefit back to the region.

We see things emerge. I'll be pleased to discuss that with the member, but I think he can see by the transportation infrastructure investments we're making, the waterway cleanup and infrastructure investment—

The Speaker (Hon David Warner): Could the minister conclude her response, please.

Hon Ms Lankin: —the tourism and agritourism opportunities, along with what we're doing in the manufacturing sector, that we do have a comprehensive analysis and a response that we're developing. I'd be pleased to share that with the member and ask for his assistance in implementing it.

Mr O'Neil: Of course, Minister, and in all respect, this is basically the same answer that I got from you two or three months ago. The thing is that we have these people, close to 3,000 people in the Quinte area, who've been laid off. In many other areas you've stepped in with certain types of job assistance to get people working. The majority of these people who have been laid off in the area are union members who are now without jobs, who have had to draw UI, who are now going on to welfare and who soon will be without any amount of substantial funds at all.

It's no good to say that some of your ministry people are going in there and looking at these studies and trying to come up with answers. The thing is that you can study this thing to death, but we need to have you and your ministry staff and your government do something to create some jobs right at the present time. That's not being done. These people cannot wait. We need some action. I'm asking you directly: Never mind the studies. Let's see how you can go in there and create some jobs for us in the Quinte area.

Hon Ms Lankin: The answer I just gave was not at all the same as what I indicated to the member a few months ago. Considerable work has been done. I'm looking at the overview that we have prepared, looking at industry and communities in eastern Ontario, looking at the results of all the community economic development strategies from towns in eastern Ontario that we've pulled together, which brings forward the strategy of looking first of all at retention and repositioning of the existing businesses.

For example, there is the biotech field in Ottawa, which we're working with, agricultural-industrial initiatives in the Peterborough area, manufacturing in Brockville and the industrial sector in Cornwall. I can go on through Quinte, through Trenton, through all of the eastern Ontario communities, looking at the attraction of new businesses: Belleville, the plastics chemical manufacturing in Cornwall, the wood products in Pembroke that we're working with, looking at tourism revitalization, waterfront enhancements, infrastructure improvements.

We have stepped in through the difficult recession in terms of creating jobs in eastern Ontario. If I look at all the anti-recession, the Jobs Ontario and strategic invest-

ments, the EODC initiatives—

The Speaker: Could the minister conclude her response, please.

Hon Ms Lankin: —we have created 19,000 jobs in eastern Ontario since 1990. We have been working with people. We have specific proposals on projects in Ottawa-Carleton, eastern Ontario, Hastings-Frontenac, Northumberland, Leeds-Grenville—

The Speaker: Could the minister please conclude her response.

Hon Ms Lankin: —Prescott, Hastings, Stormont, Quinte, Trenton, and I go on. I'd be pleased to share this information with the member. We are concerned about eastern Ontario. We are working comprehensively to respond to the economic conditions there.

NATIVE LAND CLAIM

Mr Charles Harnick (Willowdale): My question is to the minister responsible for native affairs. My question relates to the manner in which your government is conducting land-claim negotiations relating to the Wahta Mohawks at Gibson Lake. Private land owners and municipalities do not feel that the government has their interests at heart at the negotiation table. Quite frankly, the non-native community does not feel that your government represents its interests.

Minister, will you commit today to take action to ensure that all those affected by your negotiations are provided with a voice at the negotiation table?

Hon Bud Wildman (Minister Responsible for Native Affairs): I appreciate the question. This, as the member will know, is a land claim initiated by the Wahta Mohawks or Mohawks of Gibson First Nation some time ago that was accepted by the federal government. The federal government encouraged the province to become involved. We are currently involved, as the member will know, in extensive consultations with all of the various interests—the local property owners, the cottagers, the municipalities—to ensure that we understand their concerns and can represent them at the negotiating table.

I think it would be better if all three parties in the negotiations were participating in this consultation, but despite the fact that the federal government and the first nation have chosen not to proceed in this way, the province is determined to carry out a proper consultation with all concerned.

1500

Mr Harnick: You see, Minister, individuals who are directly affected by the actions of your government have been shut out of the process. We're not pointing the finger at the federal government and we're not pointing the finger at the Wahta nation, but the non-native community has specific concerns regarding future development and the environment and how these negotiations will affect their quality of life.

How can you assure the non-native community that their quality of life will be respected in the course of these negotiations and that the non-native community will be given a meaningful position in the negotiation process?

Hon Mr Wildman: As I indicated in my previous response, our chief negotiator is currently involved in extensive consultations. That's frankly how most of the affected parties have learned about the negotiations, because the province is in fact carrying out these consultations.

He asks how they can be assured that their interests will be taken into account. The very fact that we have initiated these consultations is an indication that the provincial government is most concerned about assuring the residents of the area, the various interests and the municipalities that their concerns will be represented by Ontario in the negotiations. If we weren't concerned about them, we wouldn't have initiated the consultation.

I encourage everyone who has an interest to ensure that they participate in the consultation, that they get their concerns on the table, that they express them to our chief negotiator, and I can assure the member that those concerns will be taken into account in determining Ontario's position in the negotiations.

CONFLICT-OF-INTEREST LEGISLATION

Ms Margaret H. Harrington (Niagara Falls): My question is to the Minister of Municipal Affairs. This week I attended Niagara Falls city council meeting to update them on provincial matters, which I do regularly.

Minister, recently you introduced into this House legislation that will amend the conflict-of-interest rules governing local municipal councils. All across Ontario, as well as the city of Niagara Falls, people are thinking of running in this fall's municipal elections, and I certainly encourage them to do so, especially women. At this time, they are not sure of how the proposed changes with regard to disclosure will affect them. When will candidates, as well as city clerks, be able to see the disclosure of financial information form?

Hon Ed Philip (Minister of Municipal Affairs): I thank the member for her question. As she and other members know, members of the public have been asking for more open local government for many years and therefore I was privileged to introduce this legislation.

My ministry alone receives hundreds of requests each year from people in various parts of the province, in large municipalities and small municipalities, expressing concern about certain ways in which local government is being conducted. Therefore, our proposed changes are focusing on a more open and transparent form of government locally, and a detailed package of information will be sent out to the municipalities next week so that local councils, boards, municipal clerks and indeed candidates and potential candidates can examine exactly what is happening.

Ms Harrington: Open local government, which is a featured part of your new bill, means open meetings. What items may be allowed to be held in camera, that is, behind closed doors, in future?

Hon Mr Philip: It's vital that citizens be able to watch and understand the goings-on of their local councils in order for them to be active participants in their communities. Open and accessible meetings are a vital linchpin for local democracy.

There are, however, legitimate circumstances in which local councils may wish to go into camera: for example, such matters as personnel matters, litigation, security or legal advice.

Interjection.

Hon Mr Philip: What our legislation does—

Mrs Barbara Sullivan (Halton Centre): What happened to the bill?

Hon Mr Philip: The Liberals don't want to know about this. They voted against it. They don't believe in having transparent government.

Hon Evelyn Gigantes (Minister of Housing): That's right. They've got lots of trouble that way.

Hon Mr Philip: And they have lots of trouble with some of their members now who are in local government.

What our legislation does is clearly describe the items that can be discussed in camera, the procedure that must be followed by a council before and after a closed council meeting, and in all cases, and I know the Liberals don't want this because their local councillors don't want an open government in all cases, final decisions must be made and recorded in public meetings. That's the kind of open government that we're introducing in this province.

MUNICIPAL ZONING BYLAWS

Mr Bernard Grandmaitre (Ottawa East): My question is to the Minister of Municipal Affairs. Talking about open government, I'd like to ask you a question on open government, Mr Minister. On March 14 of this year, you received a letter from seven of the 15 Scarborough council members requesting that you look into the process of a decision made at their council.

Let me refresh your memory. Price Club had applied to council for rezoning and also an official plan amendment. That application was turned down by a vote of eight to seven. That decision was appealed to the Ontario Municipal Board and a hearing date was set for March 4, but prior to March 4, on March 2, a pre-arranged meeting was set up by council and overturned the previous commitment they had made to appeal this, to fight this before the OMB.

Mr Minister, I want to tell you that this discussion, this meeting, was in camera. The discussion took place in camera. A vote was taken in camera. They have applied to you. They asked you on March 14. What are your plans to deal with this issue?

Hon Ed Philip (Minister of Municipal Affairs): There is considerable difficulty in dealing with any matter that is before the Ontario Municipal Board. Therefore, while I accept that a letter has been written, and I will give a detailed response to the member's question in writing, let me just say this: On the general issue, not the specific issue, of which this matter was a part, we have appointed Dale Martin to look into the broader general issues of how to deal with issues like this. He is expected to bring down a report to me. The moment we have a report and some possible directions, which I will first of all want to share with the honourable member and also with others whose opinion I respect, we will certainly make that public to him and to others. I'll appreciate any advice he might like to provide to me on this.

It's important on this issue that we deal with the fact that we must deal only with planning concerns and that the Ministry of Municipal Affairs is not in a position to in any way pass judgements that would in any way affect free and open competition, which of course only the consumer is in a position to dictate.

Mr Norm Jamison (Norfolk): On a point of privilege, Mr Speaker: Last week, the member for Simcoe East posed a question to the Minister of Municipal Affairs. In the context of that question, the member who posed the question indicated that the member for Norfolk will not return calls or meet with the mayor of Norfolk. I was very concerned about that statement and went directly to the telephone to call up Mr Hector Verhoeve, the mayor of Norfolk.

Mr Verhoeve informed me that no such statement was made in his meeting with the representatives from the Conservative caucus on the day in question, and went on to assure me that he had no problem in meeting with myself and, for that matter, had met with me four days previous on that issue and had also met directly with the Premier in the riding on that issue.

Because of that, I believe that I have been served an injustice in this House by that particular statement and feel that it's worthy of the other member, now that this has been pointed out clearly, because I understand that he was not at that meeting personally, to clarify his position and withdraw that.

The Speaker: To the honourable member for Norfolk, first, he will know that he does not have a point of privilege. There indeed is a difference of opinion on this particular item. He has made a request that the member for Simcoe East correct his own record, and of course that opportunity is available to the member at any particular time. But I thank the member for drawing this matter to my attention.

1510

Mr Stephen Owens (Scarborough Centre): On a point of order, Mr Speaker: It being Thursday, I think it's only fitting that we take an opportunity to congratulate the member for Sarnia on his 47th birthday.

The Speaker: That's certainly a point of interest and at least of congratulations as well.

Now, this isn't another birthday? The member for Eglinton.

Ms Dianne Poole (Eglinton): Mr Speaker, I also add my congratulations or commiserations to the member for Sarnia.

PETITIONS

SEXUAL ORIENTATION

Ms Dianne Poole (Eglinton): I have a petition to the Legislative Assembly of the province of Ontario:

"Whereas it is a basic right of every adult human being to form a committed spousal relationship with another adult person of their choice under the protection of the law and without discrimination based on whether the individuals are the same or opposite gender;

"Whereas persons in this province who are members of same-sex families are improperly denied basic fundamen-

tal protection, freedoms, rights and advantages accorded to families solely because they are not of opposite sexes;

"Whereas Ontario courts and tribunals, the Ontario Law Reform Commission and the Parliament of Europe have found that the denial of these rights is discriminatory and unfair; and

"Whereas an incorrect perception has been generated that members of faith communities oppose ending such discrimination;

"We, the undersigned, as members of faith communities, support the extension of full benefits and responsibilities accorded to heterosexual couples to persons in established same-sex relationships."

I agree with this petition and have affixed my signature.

Mrs Margaret Marland (Mississauga South): I have a petition which reads as follows:

"We, the undersigned members of this church, Erindale Bible Chapel, are opposed to the Equality Rights Statute Law Amendment Act on the basis that this will be redefine 'family' in a way which conflicts with God's loving plan as stated in the Scriptures."

There are 100 signatures to this petition, to which I will add my own.

TOBACCO PACKAGING

Mrs Karen Haslam (Perth): My petition is to the Legislative Assembly of Ontario in support of plain packaging of tobacco products:

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains the provision that the government of Ontario reserves the right to regulate the labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces, rather than act on its own, to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national plain packaging strategy the most efficient method of protecting the Canadian public;

"Therefore we, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

I have affixed my signature to this petition.

KETTLE ISLAND BRIDGE

Mr Gilles E. Morin (Carleton East): I have a

petition addressed to the Parliament of Ontario:

"Whereas the government of Ontario has representation on JACPAT (Joint Administrative Committee on Planning and Transportation for the National Capital Region); and

"Whereas JACPAT has received a consultants' report recommending a new bridge across the Ottawa River at Kettle Island which would link up to Highway 417, a provincial highway; and

"Whereas the city and regional councils of Ottawa, representing the wishes of citizens in the Ottawa region, have passed motions rejecting any new bridge within the city of Ottawa because such a bridge and its access roads would provide no benefits to Ottawa but would instead destroy existing neighbourhoods;

"We, the undersigned, petition the Parliament of Ontario as follows:

"To reject the designation of a new bridge corridor at Kettle Island or at any other location within the city of Ottawa core."

I will affix my signature to the petition.

FIREARMS SAFETY

Mr Allan K. McLean (Simcoe East): I have a petition to the Legislative Assembly of Ontario:

"Whereas we, the undersigned, strenuously object to the Ministry of the Solicitor General's decision on the firearms acquisition certificate course and examination;

"Whereas we believe that the Solicitor General should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and/or hunted for years;

"Whereas we believe that we should not have to take the time or pay the cost of another course or examination, and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Amend your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

There are 19 signatures from Orillia, Coldwater, Brechin, Port Severn, Washago, Bracebridge and Stouffville, and I've affixed my signature to it.

SEXUAL ORIENTATION

Mr Peter North (Elgin): I have a petition to the Legislative Assembly:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas Canada was founded on Judeo-Christian principles which recognize the importance of marriage and family;

"Whereas the redefinition of marital status will extend to same-sex couples the rights and benefits of marriage;

"Whereas the redefinition will further increase the likelihood that children will learn to imitate homosexual practices;

"Whereas there is evidence that there will be negative financial, societal and medical implications and effects on

the community with any increase in homosexual practices, the redefinition of spouse and family status, and policies concerning adoption of children by homosexuals;

"We request that the House refrain from passing any legislation that would alter or redefine marital status."

It's signed by a number of constituents in both the London and Elgin ridings.

TOBACCO PACKAGING

Mr Noel Duignan (Halton North): I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly; and

"Whereas Bill 119 contains the provision that the government of Ontario reserves the right to regulate the labelling, colouring, lettering, script, size of writing or markings and other decorative elements of tobacco packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work with the federal government and the other provinces, rather than act on its own, to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national plain packaging strategy the most efficient method of protecting the Canadian public;

"Therefore we, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

I affix my signature.

EDUCATION FINANCING

Mr Gerry Phillips (Scarborough-Agincourt): I have a petition to the Legislative Assembly of Ontario:

"Whereas the British North America Act of 1867 supports the right of Catholic students to a Catholic education, and the province of Ontario supports two educational systems from kindergarten to grade 12; and

"Whereas the Metropolitan Separate School Board educates more than 103,000 students across Metropolitan Toronto; and

"Whereas this is equivalent to 30% of all the students in the area; and

"Whereas the Metropolitan Separate School Board is expected to provide the same programs and services as its public school counterpart and must do so by receiving \$1,822 less for each elementary school student and \$2,542 less per secondary student;

"We, the undersigned, petition the Legislative Assembly of Ontario to act now to ensure that Ontario's two principal education systems are funded fully and equally."

I have affixed my signature.

HAEMODIALYSIS

Mr Jim Wilson (Simcoe West): I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas several patients from the Collingwood area are forced to travel great distances under treacherous road conditions to receive necessary haemodialysis treatments;

"Whereas the government has done nothing to discourage a patchwork dialysis treatment system whereby some patients receive haemodialysis in-home and others travel long distances for treatment;

"Whereas there are currently two dialysis machines serving only two people in the Collingwood area;

"Whereas the government continues to insist they are studying the problem, even though they have known about it for two years; and

"Whereas the Legislature passed Simcoe West MPP Jim Wilson's private member's resolution which called for the establishment of dialysis satellites in Alliston and Collingwood;

"We demand the government establish a dialysis satellite immediately in the town of Collingwood."

That's signed by literally hundreds of constituents from my riding, and I've affixed my signature to it.

1520

SEXUAL ORIENTATION

Mr Rosario Marchese (Fort York): This petition is addressed to the Legislative Assembly of the province of Ontario:

"Whereas it is a basic right of every adult human being to form a committed spousal relationship with another adult person of their choice under the protection of the law and without discrimination based on whether the individuals are the same or opposite gender; and

"Whereas persons in this province who are members of same-sex families are improperly denied basic fundamental protection, freedoms, rights and advantages accorded to families solely because they are not of opposite sexes; and

"Whereas Ontario courts and tribunals, the Ontario Law Reform Commission and the Parliament of Europe have found that the denial of these rights is discriminatory and unfair; and

"Whereas an incorrect perception has been generated that members of faith communities oppose ending such discrimination;

"We, the undersigned, as members of faith communities, support the extension of full benefits and responsibilities accorded to heterosexual couples to persons in established same-sex relationships."

I affix my signature to that.

FIREARMS SAFETY

Mr Steven Offer (Mississauga North): I have a petition to the Legislative Assembly of Ontario:

"Whereas we, the undersigned, strenuously object to the Minister of the Solicitor General's decision on the firearms acquisition certificate course and examination; and

"Whereas we believe that the Solicitor General should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and/or hunted for years; and

"Whereas we believe that we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To amend your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I've affixed my signature.

SEXUAL ORIENTATION

Mr Leo Jordan (Lanark-Renfrew): I have a petition to the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas the legislation announced recently by the Attorney General of Ontario, and which now awaits second reading, enabling gay and lesbian couples to adopt children, share employee benefits and even sue for alimony; and

"Whereas Boyd calls the proposed legislation 'a jewel in her crown' but may as well be 'a nail in her coffin'; and

"Whereas in Genesis 2:20 to 22, we read: 'But for Adam no suitable partner was found, so the Lord God caused the man to fall into a deep sleep, and while he was sleeping he took one of the man's ribs and closed up the place with flesh. Then the Lord God made woman from the rib he had taken out of the man.' The name of Adam's companion was Eve, not Steve;

"We, the undersigned, therefore request that members of the House refrain from supporting this piece of legislation which gives same-sex couples the same benefits presently offered to heterosexual relationships along with the freedom to adopt children. We feel that there is no sound base to this request and therefore should be rejected as being unorthodox. The ability to adopt children will only lead to the extension of their lifestyle. Since the animals of the field show no evidence of it, why should we, as ones who are supposed to have more sense, approve of this bill?"

FIREARMS SAFETY

Ms Jenny Carter (Peterborough): I have a petition to the Legislative Assembly of Ontario which petitions the Assembly as follows:

"We, the undersigned, ask the Legislative Assembly of Ontario to change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

This petition is signed by about 190 Ontario residents.

SEXUAL ORIENTATION

Mr D. James Henderson (Etobicoke-Humber): I have a petition to the Legislative Assembly of Ontario

which reads as follows:

"We, the undersigned, are totally opposed to the proposed legislation by the NDP provincial government which would provide homosexual and lesbian couples with the same rights and status as heterosexual couples, including the right to adopt children.

"If passed into law, this legislation will have a devastating effect on the moral and social fabric of the province. We urgently appeal to you and to your Liberal colleagues in the House to join with the other members of the Legislature who are opposed to this measure to ensure that it is decisively rejected."

That petition is signed by several dozen of my constituents and by me.

FIREARMS SAFETY

Mr Peter North (Elgin): I have here a petition to the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years (we are not unsafe and we are not criminals); and

"Whereas we should not have to take the time or pay the costs of another course or examination, and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters, and only require future first-time gun purchasers to take the new federal firearms safety course and/or examination."

WOLF POPULATION

Mr Len Wood (Cochrane North): I have a petition to the Honourable Lieutenant Governor and the Legislative Assembly in the province of Ontario:

"Whereas the government of Ontario has implemented a ban on hunting and trapping in Algonquin of timber wolves in the areas of Hagarty and Richards townships and Sherwood, Jones and Burns townships from the 15th of December, 1993, to the 15th of March, 1994;

"Whereas this ban has been placed by the Minister of Natural Resources on the basis of a scientific study titled Winter Wolf Excursions and Mortality Patterns in Algonquin Park, which was conducted from 1987 until the present under the direction of John P. Theberge and Waterloo University faculty of environmental studies;

"Whereas the citizens of the affected areas have petitioned the province of Ontario to lift the ban so as to continue with hunting and trapping of Algonquin Park wolves;

"We, the undersigned, do petition the province of Ontario to implement the following:

"Keep the existing ban in effect, as was determined by the appropriate aforementioned scientific study, not to lift the subject ban based on a minority of citizens in the subject area;

"Have the Ministry of Natural Resources place future bans of hunting and trapping of wolves in the areas near Algonquin Park which are recommended on the basis of scientific study conducted by John P. Theberge of Waterloo University."

This is a petition with 2,084 signatures and I support the petition.

Mr Robert V. Callahan (Brampton South): On a point of order, Mr Speaker: There seem to be an untold number of petitions today in the House. I wonder if I could ask for unanimous consent that we extend the petition period for five minutes.

The Deputy Speaker (Mr Gilles E. Morin): Is there unanimous consent? No.

INTRODUCTION OF BILLS

LANDLORD AND TENANT AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI SUR LA LOCATION IMMOBILIÈRE

On motion by Mr Cordiano, the following bill was given first reading:

Bill 172, An Act to amend the Landlord and Tenant Act / Projet de loi 172, Loi modifiant la Loi sur la location immobilière.

Mr Joseph Cordiano (Lawrence): I'm moving this in order to require the registration of accessory apartments with municipalities in which those accessory apartments are situated and to allow for a fine of up to \$7,500 if a person rents out an accessory apartment that has not been registered.

ORDERS OF THE DAY

EQUALITY RIGHTS STATUTE LAW AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT DES LOIS EN CE QUI CONCERNE LES DROITS À L'ÉGALITÉ

Resuming the adjourned debate on the motion for second reading of Bill 167, An Act to amend Ontario Statutes to provide for the equal treatment of persons in spousal relationships / Projet de loi 167, Loi modifiant des lois de l'Ontario afin de prévoir le traitement égal des personnes vivant dans une union entre conjoints.

The Deputy Speaker (Mr Gilles E. Morin): The member for Beaches-Woodbine, I believe you still had a few minutes left.

Hon Frances Lankin (Minister of Economic Development and Trade): When I had the opportunity to speak yesterday, I spent most of my time talking about what was actually contained in this bill and what I thought it would mean to families and friends that I know, to them and their children and the importance of those amendments in people's lives and the importance of these changes to give equality in rights for groups of people.

I want to repeat one part of what I said to stress it again, because I believe every person who supports this legislation needs to state over and over again what is really involved in the legislation, because I hear in many of the petitions that have been read today that members of the public think this legislation is in fact changing the institution of marriage or somehow changing marital

status, either under the federal legislation or under the institution of marriage under the church.

1530

Outside of the institution of marriage, we have in our society common-law relationships. In those common-law relationships, if you are in such a relationship and you are heterosexual, you attract certain rights and benefits and owe certain obligations under the laws of our land, the laws of our province.

The amendments that are being put forward to the Human Rights Code and other legislation here in Ontario simply give common-law couples of the same sex the same rights, benefits, and force them to live up to the same obligations as common-law couples of opposite sex. It has nothing to do with marriage. It does not allow marriage; it does not change the institution of marriage. I stress that because time and time again I hear the wrong information being provided to people and I think that it influences the debate in a very negative way.

Yesterday one of the speakers said: "What's the community saying? What are people saying about this?" I thought that I would spend the last five minutes that I have in highlighting that. Just today there was a press conference with religious leaders who voiced support for this legislation, and I want to take a moment just to highlight some of their comments.

The Very Reverend Bruce McLeod, who is a former moderator of the United Church of Canada and former president of the Canadian Council of Churches, supported the legislation and said that "stable same-gender families can be found living quietly and wholesomely in almost any Ontario neighbourhood" and that "on the brink of the 21st century, it is high time that same-gender families are accorded the same access to support, health and pension benefits and inheritance of family property that opposite-sex common-law partners presently enjoy."

Archbishop Ted Scott, the former primate of the Anglican Church of Canada and former president of the Canadian Council of Churches, said that this legislation represents a move towards greater social justice for gays and lesbians in a multicultural and pluralistic society. "The legislation does not give special or additional rights to a special group—it attempts to establish greater equality for a group which many agree has been discriminated against."

He goes on to say that he believes "that the passage of the proposed legislation will provide greater justice and will not endanger the rights of other persons nor will it endanger the family unit," which he believes "to be of great importance in the maintenance of a strong social fabric."

There are quotes from Rabbi Arthur Byfield, from Reverend James Christie, from Father Tim Ryan, from Dr Joe Mihevc, a Roman Catholic theologian, and from Reverend Brent Hawkes. Religious leaders, church community leaders are coming forward in support of this legislation.

Also today, there was a press conference where there were artists in support of this, musicians and actors, people like Carol Pope, musician; Eric Peterson, actor;

Holly Cole, musician; Roger Abbott from the Royal Canadian Air Farce; Robert Priest, who is a poet and musician; Bruce Cockburn, whom we all know, musician; Lorraine Segato from Parachute Club; Jackie Burroughs, actress; Molly Johnson, musician; David Cronenberg, the director; Fiona Reid, actress—I could go on and on and on—Ralph Benmergui, comedian; also groups like Blue Rodeo, Moxy Fruvous, Spirit of the West, the Rheostatics. Many, many artists came forward today.

There are also businesses which have shown their support for this by enacting the changes in their own workplaces, people like the city of Toronto; Dow Chemical; the Globe and Mail; the government of Ontario; Harbourfront Centre; the Hudson's Bay Co; the Law Society of Upper Canada; Levi Strauss; London Life Insurance—I could go on and on and on there—that support the move in this direction.

Yesterday in Quebec the Human Rights Commission issued a report talking about the violence in the society perpetrated against gays and lesbians and the need to have legislation like this in order to move the yardsticks of human rights. They spelled out a number of recommendations, many of which are contained in the legislation here in Ontario.

A group of Liberals urged Ontario Liberal MPPs to support Bill 167, federal MPs like Jean Augustine, Barry Campbell, Shaughnessy Cohen, Hedy Fry and Bill Graham, and Liberals I know and respect and have worked with like Patrick Johnson, Jack Siegel, people like Pierre Nadeau. Many people are coming forward in support of this legislation. Many people in the community are making their views known.

From my own riding there a couple of letters I'd just like to share with you in the time I have left. One is from a minister who talks about, as he reads in the newspaper and listens to the discussion, growing weary of the discrimination that he hears. He says:

"I am weary of people who cry out that the family is once again under attack and the very fabric of society is coming apart. I have learned that true families are bound together by love, fidelity and self-sacrifice, not by law or social custom. I witness daily families of same-sex orientation who struggle with illness and death. Their love is real, honest and true. They are the same as heterosexual families."

He urges me as his parliamentary representative to vote for justice and to not discriminate against those whose sexual orientation is already protected under the Human Rights Code.

I also received a letter from a 71-year-old woman. She said:

"I fully support the government's bill to give homosexuals legal rights. It is unconscionable that it should be otherwise.

"I, as a 71-year-old mother of three, grandmother of nine, an obvious heterosexual, have enough common sense to recognize that homosexual friends of mine, two couples who have been together for 30 years, should have the same legal rights as anyone else.

"I decry those who use terms such as 'unnatural' and

'un-Christian.' What a travesty. Most homosexuals are good citizens, contributing meaningfully to society. We should support them."

The community is responding. The community is coming to terms with these issues. We need to encourage the public debate and we need to have the opportunity to get the real purpose of this legislation out for people to understand, to discuss, to engage in and to come to terms with. I believe that the majority of fair-thinking Ontarians will support this legislation.

I appreciate the opportunity to have been able to participate in this debate.

Applause.

The Deputy Speaker: I would ask the members in the gallery to refrain from applauding or from any demonstrations. The member for Brampton South, questions and comments.

Mr Robert V. Callahan (Brampton South): I want to say that the last speaker's debate on this was civilized; much different than, I hate to say, the speech of the member prior to her, the member for Willowdale, who actually put this debate on a very serious topic into the vein of simply being political one-upmanship. I think that's unfortunate. In fact I'm surprised how the member for Willowdale wound up taking the short straw to use that type of vindictive approach rather than having his leader of the third party, Mr Harris, take that approach.

I find it difficult that when we're discussing matters of human beings, politics has to enter into it. I thought we were all elected as members of this Legislature to represent our communities in a civilized fashion. I'm afraid, having listened to the member for Willowdale—he's a friend—I don't know how he happened to get himself into that predicament, but I feel sorry for him.

In any event, I have to say as well that I've listened to much of the arguments here, I've listened to my constituents, and Mr Speaker, I have to say publicly on the record that I cannot support this bill.

Mr Chris Stockwell (Etobicoke West): First off, I'll pick up with respect to the minister's comments on a vigorous and open public debate. That probably is one of the most important things we should ensure with respect to any piece of legislation, regardless of the press or regardless of the angst it causes in the public at large.

The question I'd like to ask the minister is, if there is in fact to be vigorous and open public debate, that debate takes place and it's quite clear in the minds of a majority of Ontarians, maybe an overwhelming majority of Ontarians, that this kind of legislation may well be too broad and wide-sweeping for them, does that then mean that we as legislators have a responsibility to listen to the people during this broad and wide-ranging debate?

What I sense from the minister and from some in favour is that you're very prepared to talk about a vigorous, wide-ranging, all-encompassing debate as long as everyone reaches the conclusion you'd like them to reach. The difficulty we're having with this debate appears to be that the majority of Ontarians won't support this kind of legislation. If that's not true, I will stand to be corrected. You can point to examples. But from

everything I've read and seen, and if I measure at all by the kinds of letters and phone calls I've received in my office—and I can't believe that others are not very similar, why my constituency is so different at literally 100 to one, 75 to one.

If we then go out and receive this public input, we then receive and hear from constituents of this province, but then we act completely contradictory to the way they've asked us to act, then what is the point, I ask the minister, of full and open public hearings on important pieces of legislation? Is it not somewhat hypocritical to call for open public debate when you have no intention of hearing from the public?

1540

Mr Gary Malkowski (York East): I'm pleased to participate in questions and/or comments and to respond to the comments of the member for Beaches-Woodbine. She gave an excellent presentation, right from the heart. She's a very grass-roots person and close to the community, and it touched me and I'm sure it touched many people who heard her comments.

I want to talk a little bit about the experience in terms of people growing up. There are many partners. There may be some who have a daughter. I know some of my friends who are like that, same sex. I think it's important to think about the emotional and social wellbeing of a child and the point of a child to grow up to be a successful adult. As long as they're in a loving relationship, they need the support of a couple, any kind of couple that can provide the love and support.

What's true is that families are very varied these days. We need an opportunity to express that and to have an expression of that in Ontario society. In the paper today there's an article where it talks a little bit about clinical psychologists from the University of Virginia, where they quote Dr Gottman, a clinical psychologist, and her studies on the homosexual and family relationships.

In that, the consequences of her study suggest that there's no difference in a child's rearing by either a heterosexual couple or a homosexual couple. There's absolutely no difference in how the child grows up. Either couple can raise a healthy, normal child.

It's important to listen to these and other comments. I believe there are many wonderful benefits that this society can afford from having gay and lesbian parents as well as straight parents. I would like to see an inclusive society where the needs of a child are met.

If we also take a look at the United Nations Convention on the Rights of the Child, it's very important what they say. They say that a child's emotional and family supports are tantamount to the success of a child. I believe that any parent, whether gay or lesbian or otherwise, is able to afford this kind of loving relationship, to keep a positive relationship.

The Deputy Speaker: Your time has expired. Any further questions or comments? If not, the member for Lambton.

Mrs Ellen MacKinnon (Lambton): I appreciate the opportunity to be in the Legislature today and have the time to listen to those who have been debating. All bills

that come to this House—

The Deputy Speaker: I'm sorry, the member for Lambton, it's questions and comments. Do you have any questions or comments to the speech presented by the member for Beaches-Woodbine?

Mrs MacKinnon: Then I'll go on. I wish to commend the Honourable Marion Boyd, our Attorney General, for bringing this bill forward and I very much appreciate the manner in which the member for Beaches-Woodbine has presented the case. She does it with a great deal of heart and a great deal of feeling and a great deal of common sense; indeed, better ways than I could ever put it.

I would just like to have everybody remember that this bill provides rights for same-sex couples and obligations for those couples, as is being done for people who live in a common-law relationship. The reforms will provide equal rights for the survivors: the pensions, the benefits, the inheritance, the property rights, where necessary, when the contracts have been done for that purpose.

I wish to commend all of my colleagues and all those in this House who are supportive of this bill so that we can rid yet another pocket of discrimination from this province.

The Deputy Speaker: The member for Beaches-Woodbine, you have two minutes to reply.

Hon Ms Lankin: First of all, may I say to the member for Brampton South that I think in fact it is very important for us to restore to this debate the tone in which all people can be respected in bringing forth their points of view and ideas on this. I agree with you very much on that and appreciate your pointing that out. I think that today we have an opportunity to set a different tone than what happened in part of yesterday's debate.

I appreciate the member putting his views on the record. I would say to him that I know this is an issue that he reflects on and has reviewed. I know that in the previous Legislature, when Bill 7 was being considered, it was something that he struggled with. I've read his comments in the debate at that time and I know that after much soul-searching and reflection, he actually came from a position of being opposed to the bill to supporting it. I might not be optimistic that it might happen here, but I would hope to talk to him and to continue to ask him to reflect on these issues, and perhaps the same might happen.

To the member for Etobicoke West, you know, you actually do raise a very good point, and I think you hit a nerve when it comes to me. You're right. I do think there is a need for this debate to be heard, and particularly, I guess, the reason I use those words is that I feel very strongly that those people whose rights are most affected by this should have the opportunity to at least make their statements on the public record. That's where I come from.

But you are also right that on this issue, I believe it is an issue of such important principle to me that I think it is one in which legislators should lead. To take your suggestion and to put it in another circumstance, if we were to have tested the waters in the days in which

capital punishment was being debated in the federal Parliament and legislators were to have followed the common mood of the nation in those days, we would have capital punishment in this country. Legislators led with positions of principles and beliefs on what they thought was right and set about doing that in the legislative arena. For me, I think that is the approach I would take on this bill.

The Deputy Speaker: Time has expired. Further debate?

Mrs Joan M. Fawcett (Northumberland): I want to put a few remarks on the record in this emotionally charged debate. I sincerely wish we did not have to have this debate, because unfortunately battle lines have been drawn and human beings have pitted themselves against each other.

This is one of those moral issues that comes to the forefront for debate from time to time, and moral issues cannot be legislated without encountering a lot of fallout as it happens. Some would say that I am homophobic, intolerant and prejudiced because I do not agree with this bill, which saddens and upsets me because I have always tried to respect all humans everywhere.

It has been said that I don't understand or know the gay and lesbian community. Might I also say they don't know or understand me, yet they too judge and jump to conclusions. They feel, because I don't agree with their opinion on this issue—at least some of them do—that I am a hatemonger. I say that I too am a product of my upbringing, my schooling, my environment and my religious beliefs, and I just cannot support this bill.

Surely I have the right to my opinion as well as an obligation to consider and represent the overwhelming majority of my constituents. This, to me, is the way democracy works. Because of my upbringing and my religious beliefs, I believe firmly in the concept of traditional family and I think of family as the traditional mother, father and children. Yes, I know there are breakdowns and single parents out there doing a good job rearing children alone but, to me, you start out with the basic, natural idea of man, woman and eventually children of that union.

My interpretation of spousal benefits is that they are intended to help men and women raise their families. Raising children is a very important thing that we must do carefully in our lives. Spousal benefits were initiated to ease the burden of raising those children the best way we can.

I ponder what is to be the legal definition of "same-sex spouse" in terms of this issue. What constitutes "spouse"? If we grant benefits now given common-law spouses to same-sex spouses, we could well be opening a legal Pandora's box. If all are to receive equal benefits under the law, a roommate qualifies for benefits. If a working man gets benefits for a wife and two children, does it follow that four men or four women who share the rent on a house would also qualify?

The cost of such sweeping reform will be borne by the business community and the taxpayers who support our public service. The NDP government is just continuing to

shift its problems on to the backs of business and the average taxpayers.

The truth is that by recognizing common-law marriages, the door has been opened, there is no doubt about that. But if you attempt to recognize same-sex couples, you must recognize all those who live together. The cost of this could be staggering.

1550

In society today, every major problem we face—rising crime rate, violence, cost of social assistance and burgeoning welfare rolls, illiteracy and the poverty cycle—can all be traced to the breakdown of the traditional family unit. By that I mean mother, father and children. Yet all levels of government continue to enact laws which encourage the erosion of this family unit.

Society has a vested interest in promoting the family unit in its traditional form. Benefits should be provided to promote the social form of family that benefits society. Study after study shows that children do better socially, economically and intellectually in traditional two-parent families.

Today, homosexuals and lesbians have the same fundamental freedoms and rights under the law as all of society does. They can practise their sexuality, publish literature to promote their views, and protest as a group. But benefits are not rights. If society is perceived to be discriminating in providing these benefits to a special group, I believe it does so in the best interests of society as a whole. But benefits are not rights.

What Sir Winston Churchill once said about democracy can also apply to the natural family, and he said something like, nobody pretends in this world of sin and woe that it is perfect and all-wise. But as a means of raising productive members of society, channelling sexuality and fostering love, the natural family might be seen as maybe even the worst of domesticity, except, of course, for all the others that have been tried from time to time.

In Canadian society, we all have the right under our laws and Constitution to make choices. We don't have the right to force the rest of society to support or pay for those choices. The overwhelming support from my constituents, for my own personal stand on this bill, dictates that I will not be supporting this particular choice, Bill 167.

The Deputy Speaker: Questions or comments?

Mr Rosario Marchese (Fort York): The member for Northumberland raises some interesting questions. On the matter of whether this opens up a legal Pandora's box, I suggest that we are trying to solve a legal problem that we are engaged in. Gays and lesbians are fighting for their legal rights and are getting them in the courts, so rather than breaking this down, rather than creating a Pandora's box, I suggest we are solving a legal problem.

When she asks whether four men sharing the same house can qualify, I plead with the member not to cheapen this kind of debate with such examples. It's quite possible that you might find a group that wants to do that to defraud the system, but to use that as an example of why gays and lesbians should not be entitled to the same

rights is not a very good one.

In terms of whether we should tax the average taxpayer with yet other costs, I say to her that gays and lesbians pay taxes and they're not entitled to the very benefits into which they're paying. I say to her that the average taxpayer who's gay and lesbian, in all sectors of society, should be entitled to those benefits.

When she says this may contribute to the breakdown of the family unit, I say to her that it is not a fair statement to make, in my view. There is no study that I have seen or read that says by giving lesbians and gays the entitlement they deserve, as heterosexuals, that this will contribute to the breakdown of our society, which is what she has said. To say that benefits are not rights—I don't know what definition she uses to make that argument. Benefits are rights. This is the right that gays and lesbians are seeking, and I hope she would see it in that context.

Mr Bruce Crozier (Essex South): I rise to take a few minutes to support my colleague from Northumberland and to take these few minutes to say I represent Essex South. Essex South is a southwestern Ontario community of God-loving, decent citizens. In all cases, we try and make the right decisions. I say "we," all of us in my constituency. I've said many times that I came to this place to represent the constituency of Essex South. I therefore feel an obligation to listen to those citizens and to bring their voice here.

Who am I alone, one person, to decide what's right and what's wrong? I do know that I was elected to come here and, as best I could, represent in this democratic society of ours the opinions of my constituency. Therefore, in this instance, because of those I've heard from, those I've talked to, the letters I've received, I feel it's necessary that in the end I will have to vote no in the case of this particular bill.

Ms Christel Haec (St Catharines-Brock): Like many members in this House, I have received a mix of phone calls and letters. I am struck by the fact that many people make reference to the "traditional" family. In reviewing this in my own mind—and I realize that the member who has just spoken, the member for Northumberland, comes to this from her own personal experience and view, as do all members. We take a look at what we know and the experience we have with our family and friends.

I must admit that within my circle of friends I have someone I went to university with, someone I started university with in 1967, who is a member of the lesbian community, a professional, a hard-working individual, who wrote to me as part of this debate and who obviously has strongly encouraged me to support this legislation, which I do.

But what she drew to my attention was the fact that she and her partner form a family. They are caring, caring individuals. They look after each other and they will look after each other's families, each other's parents. Under these circumstances, to suggest that they do not form a family really does them, and a lot of people in the galleries here and a lot of the people who are part of our own communities, a disservice.

I hope that in the whole discussion about families we do not forget large elements within our own ridings, because gays and lesbians are very much a part of St Catharines-Brock and, I would suspect, Northumberland as well.

Mr W. Donald Cousens (Markham): I just wanted to commend the member for Northumberland for her very fine remarks and the sincerity she gave to them.

1600

Mr Malkowski: I wish to respond to the comments from the member from Northumberland. I wish to remind the member opposite that when she talks about this issue, it goes to the very core of human rights, the foundations of our society.

I'd like to quote some lines from a press release by the Liberals for Equality Rights. Just let me read to you something they've put out today: "We are amazed at the depth of the anger out there among party loyalists," noted George Smitherman," and he's a former executive assistant to a Liberal cabinet minister. "People are stunned that the leader and her caucus are opposing what is a very basic human rights issue, particularly given Ms McLeod's previous statements in support of gay and lesbian rights."

I would also like to include some comments from myself to say that this goes to the core of human rights issues. I'm a little taken aback by your comments. You seem to be reinforcing or encouraging the leadership in your party to—it looks like the end of anti-discrimination over there. I'm not quite sure how to put it. You claim this is a moral issue. Well, I'll be very honest with you. This is really a very serious moral issue, you're right. It's moral in the sense that it's human rights, and I think a little education might go a long way to changing some attitudes.

It's very important because we have an impact on the future of our society. I want to make sure that children growing up in a future Ontario and a present-day Ontario need not fear discrimination. Many of us have children, many of us have families. We have families and neighbours and grandparents and grandchildren and many aunts and uncles and cousins who may or may not be gay or lesbian. We have to stop and think about their rights and their participation in society. Let's develop a positive society where people feel welcome. Let's take a look at human rights parallels that we have with other communities. I would ask you to please reconsider your position. Think about your neighbours and the people in your community.

Mr Robert W. Runciman (Leeds-Grenville): On a point of order, Mr Speaker: I want to express concern on two decisions you've made just in the last number of minutes. Number one was to recognize five interjections rather than four, which favoured the government party. I also want to express concern about your recognition of the member for Fort York when he was a significant distance from his own seat. I don't begrudge the member participating, but I think this is the sort of tradition that should be respected by the Speaker, whoever is in the chair at the time, and once you start recognizing members of this Legislature when they're a significant distance

from their own seat, we have an obligation to express concern.

The Deputy Speaker: The member for Leeds-Grenville is totally right, and I apologize. If I recognized a fifth person, it was not intentional. Second, it's the second time the member for Fort York was not in his seat, and I recognized him once again. I strongly believe the next time the member for Fort York addresses the House, he will be in his seat. For any damage I may have caused, I apologize.

The member for Northumberland.

Mrs Fawcett: Very briefly, I respect the opinions stated by all members of this House, and I hope in turn they will respect mine. Obviously, I cannot agree with all members on this issue, but I really take exception when it becomes political instead of just opinions on this very delicate and important issue.

I will just state again that I will not be supporting Bill 167 because of the overwhelming group of my constituents and my own personal feelings on this. I just cannot support Bill 167.

The Deputy Speaker: Further debate?

Mr Cousins: In participating in the debate on Bill 167, I have the role not only as a member for the riding of Markham but also as the human rights critic for the Ontario PC caucus. In reviewing this whole issue, I bring to it a sense of great support for the comments that were made yesterday by the member for Willowdale, Mr Harnick. I also want to express the sense within our own caucus, which has been very free in its discussion and very open in its willingness to look at options and ways of addressing this issue.

We as a caucus were very pleased when we had a candidate running for us in the riding of St George-St David, Nancy Jackman, who is an expressed gay, and we were very pleased that she could possibly have come into our caucus. I personally worked very hard for her to become elected. I think you can continue to have dialogue with respect, and it's very important that that be the case.

I want to preface any and all remarks I make on this very important subject by saying that from where I stand, and certainly in talking with the members of our caucus, there is a determined desire that we not express any form of discrimination against anyone. We support the rights of individuals. We support the need for fairness. We support the fair treatment for all under the law and we strongly oppose discrimination of any kind. It is imperative that people understand that that is the context from which I would like to begin my further remarks.

I have to say something else. This has been one of the toughest debates, certainly in the House, but even outside the House. As one who has been involved in the discussions on this subject since last June when Bill 45 was introduced, I have not found it easy. The reason I haven't found it easy is that when you're dealing with a subject as sensitive as this, it has been tremendously hurtful to me at the personal abuse I have taken from people within this House and outside the House because I disagree with them. That's probably one of the most offensive things in

a democracy, that if someone doesn't agree with you, they attack you personally. That is indeed something that undermines all our freedoms, if someone can attack you as a person.

One of the things we have always had, or tried to have, in the House is that we deal with issues objectively. We present our case, but we respect the person who's making their case without having to become personal, so that when we walk out of this chamber we can still look each other in the eye and have a mutual respect and regard for each other as human beings who may have a different point of view. I have sensed that, very much so, with most members of this House, the Premier on a number of occasions where we've come very close on things, but we have at least walked away with a sense of mutual respect.

I want to say today that on TVO the member for St David-St George called me a homophobic bigot, and I didn't have a chance to respond because we were in the middle of a debate. I am still hurt at the fact that there's never been apology for that statement by the member for St David-St George.

Last week in this House the member for Niagara South called me a hypocrite when I was reading a petition that had been presented by my constituents.

On a number of TV shows, people who expressed the view for the gay community have made it very clear that not only do they not like my position, but they do not like me.

I don't care whether people like me or dislike me. I feel it's more important that I stand up for what I believe. As a legislator, I have the right to express those beliefs and I have the right to express them without being called names which are an offence to me, to my parents, to my family and, as well, to my constituents.

I'm tabling that because the one thing I have tried to do throughout this debate, and that I know our caucus has tried to do, is listen to others' points of view, show respect for other people's points of view, express the Canadian way of tolerance for one another. I said this morning at a meeting in my riding—the Minister of Economic Development and Trade was in my riding and I said to Frances Lankin that I thought she expressed her view very articulately and well yesterday. I say the same now of the member for Northumberland; both with different views, different sides of the fence. I think that's really something that we in this House have to respect.

I am very concerned about the way people are using words as weapons. I will be tabling this with the Attorney General, but there's a document that is circulating now in Toronto. It's an open letter to the lesbian and gay community. I will be passing it on to the Attorney General, because what it is proposing is that actions be taken against churches and others who disagree with that agenda. It is not signed, but I can just say that there are points in here where they're suggesting that people will visit a Catholic church and do certain things. I will not read it into the record. They would also visit a Salvation Army bookstore and do certain things, which again is an offence to other people's freedoms.

Interjection.

Mr Cousens: I'll make sure the Attorney General gets it so she can act on it accordingly. If you want to get a copy, I'll see that you receive a copy.

1610

Again, it's the kind of thing where we, as a society, have to protect the rights of all people.

A lot of things have happened since 1986, when the Liberal government of the day brought in changes to the Human Rights Code. One of the things that's happened since 1986—and I just have to confess how even in my own life things change. I voted against the amendments to the Human Rights Code in 1986. When Ian Scott, the former Attorney General, asked me if I would vote against them today, I had to say that I would vote in favour of those amendments.

That tells you that a person can have a change in opinion over a period of time, because what those amendments began to do is something that I can accept and strongly endorse: We as a society have to protect the rights of all people. That means the rights for employment, the rights to not be discriminated against, either in jobs or in housing, or in any way. In that sense, I feel that I personally have grown and come to accept the fact that within society one has to have a greater respect. I can now say that I truly and sincerely want to express that in my life, in my living and in my care and treatment of other people.

This House had a chance this last year to debate Bill 45. Bill 45 was a bill that was brought in by Mr Murphy. I understand he's removed it from the order paper. The significant part that I spoke on when he tabled it in the House for debate on June 24, 1993, was the fact that he was going to change "the definition of 'marital status'... by striking out 'of the opposite sex' in the fourth line."

There are many things one can say about marriage, but I referred, in my speech of that day, to marriage as defined in Webster's International Dictionary, as "the state of being united to a person of the opposite sex as husband or wife." It goes on and explains the definition of marriage.

Part of the real feeling of trying to protect the institution of marriage through that debate and in the months and weeks since has been to protect an institution in our society that has special meaning not only in the eyes of the major religions—the Christian, Jewish, Hindu, Muslim and other religions—but in the idea of how marriage is understood within law—common law and the law of our land. If a gay couple, a same-sex couple, want to have a relationship, I can respect that, but reserve the title and terms of marriage, as they are understood within the law, as something for a heterosexual couple.

Bill 45 passed in the Ontario Legislature on that day. It was second reading. I want to tie it into the fact that the people who voted for that on that day—that bill had a far-reaching impact on the future of all these bills that are being amended by the government with this motion. On that bill, we had the leader of the Liberal Party voting for it. I had to check to make sure that she did. On June 24, she did vote for it, along with many others.

Mr Callahan: We are talking of politics, are we?

Mr Cousens: Maybe you should also look at the other people who voted on it. I believe that by approving Bill 45 in principle, it gave tremendous encouragement to the government to proceed with further changes, because Bill 45 was tied up in committee. In order to get the thing out and to deal with it now, the government has come forward with Bill 167.

I am concerned and I think the public should be aware that we don't come here today without a tremendous amount of history that brought us to this place. I'm looking at the letter that was written by the Leader of the Opposition on March 9, when she said, "Please be assured that a future Liberal government will move...swiftly to take the action which I am requesting you to take immediately." That had to do with providing same-sex benefits.

All I'm saying is that people have been given encouragement that certain things would happen. Then, when it doesn't happen, there is tremendous disappointment, there is tremendous anger, there is frustration. It's hard to get the right message out.

I can say this, and if I can speak again on behalf of my caucus, our leader Mike Harris and others: We have not tried to mix our signals. If at times we make a human mistake, I apologize for that. Our serious attempt is to try to deal with the issue so that we deal with fairness, we deal with priorities, and we deal with it all in a sense that shows respect for one another.

I have to say that the fairness test is the one that has really had me concerned with this issue, as to how we would deal with it. The question I have is that same-sex couples are a very powerful special-interest group whose voice is being heard and listened to and who have been responded to by different people giving them different messages, messages of support. I have to accept the fact that same-sex couples have undergone and suffered tremendous abuse within society. I sincerely hope that through the changes in the Human Rights Code that are already in place, we can eliminate that and work to eliminate that even further. But when you talk about fairness, I want to address, in part, one of the two pillars, the economic, and number two, the true fairness itself.

There are many people in our society who have no benefits at all. These are people who are combinations of groups who are living together in homes where they do not have benefits. It could well be a brother looking after a widowed sister and her children. It could be a child looking after an elderly parent. What has happened is that benefits have not kept pace with the needs of the community. There isn't any doubt in my mind that this is not fair economically to those people who do not have the benefit of being able to apply for and receive benefits within society.

We are also dealing with a society that has changed an awful lot since the 1950s, when you had a husband who worked and a mother who stayed at home. Certainly society has evolved and we're seeing society going through changes. But what we're really looking at is if we can do something about benefits that begin to touch upon all people who are under one roof so that we can

say that any person who has a need for benefits has a way of claiming them. It wouldn't necessarily and alone and separately be same-sex couples or common-law couples or married couples, but it could also encompass these other people who are families.

If we're going to deal with the situation and the need for benefits in society, let's look at the whole thing, look at the whole subject, and deal with it honestly and fairly so that everyone in society who has a need for benefits can then be considered for them. If that were before this House, I personally would be most anxious to consider participating in that and would want to find a way to support that kind of intention, because it begins to understand how society has a need to make sure there aren't people left out.

By dealing only with a special-interest group, same-sex couples alone, as this bill does, we are excluding the many other groups that are within society that are looking for champions to defend them and protect them. I'm suggesting that this really becomes one of the challenges that we in society and we in this Legislature should have.

So on the fairness test, let's respond to the total needs of society and let us not be thinking only and exclusively, as we are in this bill, of same-sex couples. I think society has to realize there's no longer an Ozzie and Harriet household. We have many variations of what it takes to make up the relationships of different people. A single person can have one rate and someone who has dependants would have another rate. I don't know what the whole economics of the thing are, but I think society is prepared to address that. Those who have the figures would be able to present them and we as a Legislature would be able to see the whole picture.

1620

I also have a concern about what the priority is for the Legislature in dealing with this issue. This has been a point that Mr Harnick made well yesterday, it's a point that Mr Harris has made: We as legislators have a job to do to get people back to work. If you look at the issues that are facing Ontario's economy, that are facing us with law and order issues, with education and with a plethora of issues, are we doing justice to those issues by looking at this single issue right now rather than all the issues that should be on our plate?

I think one of the people I've respected, certainly in my portfolio as human rights critic, has been what Max Yalden is all about. In March 1994, in an interview on Canadian human rights, he said on World Today the following thing. It was in response to providing a report card on human rights and its impact on the Ottawa government. It was raised as it pertained to the Ontario human rights act, and the interviewer, while allowing that it would be a positive step to do something for same-sex couples, asked Mr Yalden about this reform, and he said as follows:

"I would, like any ordinary Canadian, be the first to agree that putting people back to work is probably the number one priority. If you gave me a choice between amending the Canadian Human Rights Act and cutting the unemployment rate by a few per cent, it's pretty obvious what I would do."

I think that we as legislators have a job to do: to get people back to work, to address the concerns that people have out there. If we're going to address the concerns of same-sex couples, let's address the concerns of others who also have rights to be considered as well. Let's not do it piecemeal. If we're going to do it, do it in a more full way.

One of the concerns my constituents have raised has had to do with the question of adoption. That's a very, very delicate issue. The question is often posed in a way that I would like to see raised in a different way. It is sometimes raised as, "Shouldn't same-sex couples have the right to adopt?" Even though the bill before us doesn't specifically get into the adoption procedures and so on, it moves towards that in intent.

The question that society, I think, should be asking is: What's in the best interests of the child? If we take that as the first and most important question, then we as a society have a responsibility to try to find the best home and the right situation for each child and have in our own mind the sense of what the long-term implications are going to be for each child where they're placed. What I'm really saying at that point is that the child becomes the most important gift we have as a society.

I'm most satisfied that a same-sex couple should be held up in equal status with a heterosexual couple and that the implications for those children, as yet to be proven to me, will not have some ramifications in the future of society.

So I'm one of those who would say that respecting the whole sense of the child's need being paramount, respecting the fact that I personally don't fully understand the ramifications of what will happen should we have heterosexuals and same-sex couples on the same level playing field for adoption, I would have to say that that is a matter of concern sufficiently strong that it would prevent me from supporting this bill as well.

Society has to look very carefully at how it makes changes to its laws, to its whole social fabric, so that anything we're doing within society has a long-term look to it. We have that responsibility.

Personally, as a legislator who has tried to listen to the varying views, the cross-section of views, it would appear that there are views that go through the whole spectrum. Who knows where each of us is on it? In my view, it is something where we can continue to talk about it. There may be changes and amendments that can be made to specific laws or parts of the law that make sure we do not discriminate further, but I think we have a fundamental responsibility to continue to place the importance of the child above the needs of specific people who may want to adopt that child.

Therefore, the child's interests have to be paramount, and the future of that child participating in society, with the kind of interests and balance and background that's going to make them strong in society, is something that I think has to be looked at and isn't certainly fully understood at the present time by virtue of the way society is looking at itself and trying to make changes as expressed through Bill 167.

This is one of the toughest subjects that we, as a

society, have to deal with. I can look to myself as one who has made changes in my own thinking over a period of time. I want to make sure that I continue to keep my mind open to show respect for other people and that we continue to work to end discrimination.

I want to make sure that we can continue to have our youth and our homes and our families kept strong. I want to make sure that we have a sense of the long-term view on what we do. I feel that we, as a society, will change and will make amendments to different laws along the way, but I believe that marriage is a very important institution and is inviolate.

I believe that the role of parents with children is also something that has a special trust for the future of society. I'm satisfied that at the present time there isn't the evidence that shows me that the best interests of society are being maintained through the changes that would be possible through this bill.

Let us continue to work towards a happy resolution of a most difficult problem. May we do so without rancour, hurt, harm, name-calling. May we do it with respect for one another. Over time, there may be ways in which we as a society can make sure that the discrimination that exists today is removed, but we also have a sense of knowing what our responsibilities are and have defined the areas where there are other responsibilities to be kept.

I appreciate the fact that I'm having an opportunity to speak in this debate. I've appreciated the fact that I haven't made everybody happy. I think it's the kind of subject where, at the end of the day, I will think I have missed something very important that I should have added in the remarks that I wanted to make today.

I want to make it very, very clear that I will continue to listen to all points of view, and I hope that all of us will, and that as we continue to build our society we look at what it is that makes a society strong and that we continue to show great tolerance and affection and love for one another and that, as we move into the future, we don't do anything to sacrifice the things that will keep us as a very strong society.

I believe that this bill is going too far in the direction which the government has suggested, and I would like to see us vote it down, whenever we vote on it—I don't think it's going to be today, but probably Monday—and we can get on to other things. But may the debate continue over a period of time as people begin to deal with these issues. The subject has been opened. I would like to see it closed, at least for the time being, from the Legislature.

1630

The Acting Speaker (Ms Margaret H. Harrington): Questions or comments to the member?

Mr David Wininger (London South): I'm pleased to respond to the member for Markham, and I certainly appreciate his words about tolerance and mutual respect.

I had thought that the member for Markham was opposed to discrimination and that's why I was very pleased when he introduced his Bill 55, which would have allowed individuals who found themselves targeted

by discrimination in public statements or written documents to lay a complaint with the Human Rights Commission. I was very pleased to see that legislation come forward in the form of a private bill.

I was very displeased when the member for Markham requested that bill be removed from the order paper, and I think many of the members on this side of the House were equally shocked to see that happen.

I think, though, that the member for Markham perpetuates a fallacy, an illusion, when he refers to same-sex couples as representing a rather powerful special-interest group. We live in an inclusionary world and people of gay or lesbian orientation are part of the larger population: Some go to church, some don't go to church; some are black, some are white; some are male, some are female; some are young, some are old. In short, they're all of us.

We in this Legislature represent a microcosm of the larger cross-section of society just as the gay and lesbian population, many of which chooses to live in same-sex spousal relationships, represents the inclusionary nature of the population that we all come from. So to suggest that there's a special-interest group out there that should stand in line I think is an illusory suggestion.

We did take care of many groups with employment equity legislation. Same-sex couples came and asked for protection there. Here's their protection. I'm anxious that it go forward.

Mr Tim Murphy (St George-St David): I believe I heard the member for Markham make reference to me during the course of his remarks. To the extent that he took comments I made as referring to motives that he may or may not have in opposing this bill, I didn't make those comments directed to him. Rather my concern was about some of the tactics around this issue that I thought were inappropriate, and I thought some of the tactics used by some individuals were homophobic. I do not and will not speculate on the motives of the member for Markham. I am sure his motives are virtuous and I will not comment on them.

What I do want to say—I hope to get to speak at greater length today; I don't know whether that will happen—is that of course I will be supporting this bill on second reading and I will be urging all members of the House and members of my caucus to do so as well. I am concerned about what might happen if this bill fails on second reading because of the sense of I think betrayal in the community, and in the community that I represent, by politicians of all stripes. I don't think, frankly, that the handling of this issue by any of us reflects a great glory on us, either in the way in which it has been handled or the tone of the debate to date. I think that's unfortunate.

I hope that we can find in our hearts the strength to rise above the opposition in some of the ridings to vote for it. While it is a moral issue, I view it as an issue of human rights. Human rights sometimes takes courage, sometimes takes an action against the balance of what your constituents might want, and I appeal to that sense of leadership in all members.

Mr David Turnbull (York Mills): I'm proud of my

colleague the member for Markham for having put forward a very balanced view as to how our caucus views this issue. I would particularly direct your attention to his comments about the very unpleasant words that have been used about the fact that perhaps we oppose this legislation, suggestions that we are bigots or homophobes.

I would point to the letter written by Lyn McLeod, leader of the Liberal Party, to the Coalition for Lesbian and Gay Rights in Ontario, in which she says: "I share your community's anger with the continued inaction of Premier Bob Rae and the continued discriminatory position of the Ontario Progressive Conservative Party."

You can't suck and blow at the same time. The trouble is that—

The Acting Speaker: I would ask the member to have appropriate language to this chamber.

Mr Turnbull: I don't think that's inappropriate. The fact is that we are opposing this bill for the reasons set forth by both the member for Markham and the member for Willowdale yesterday.

To have such unpleasant things spoken—I can tell you that I very proudly campaigned with my friend Nancy Jackman in seeking the election in St George-St David, and to hear the comments that have been made particularly, I would say, by Liberals, for example, when they lost the by-election in Victoria-Haliburton, was most offensive to me and offensive to my colleagues.

We are putting forward a position and we are prepared to take the lumps if people don't agree. But the fact is that we believe that rights of all individuals should be equal and I would like to see different legislation put forward. We don't believe this is the appropriate way, but indeed people are disadvantaged in many ways.

Hon Ms Lankin: There was a common theme in the member's comments and the response from one of his colleagues about tone of debate, mutual respect and essentially a complaint about comments that have been made that have been directed at members of the Tory caucus.

Let me say from the beginning that I believe it's important for us to have a tone of mutual respect and for us to debate on the content of the issues and not to throw in extraneous comments, name-calling, rancour etc. But I must insist, in order to give some balance to your comments, that people not think that you are the only offended parties in this House.

Let me tell you about a piece of hate mail that came into my office today that referred to the Attorney General of the province of Ontario as the queen of pimps, homosexuals, gays and lesbians; that talked about the Premier of Ontario as the boss of the unholy alliance between the NDP and homosexuals; that talked about myself and my colleagues as socialists who have raped this province and who are going to bring about a situation where our children are living in a godless and lawless status as chattels of that state; that talked about the fact that my party and my government were bringing about a situation where people were going to be free to seduce children to a different way of life.

I reject that just as much as you reject the comments

that have been made. It is important for us to remember that there are people of extreme opinions and people of high emotion in this debate. We can't let that enter into a civilized debate here in the Legislature on either side of the issue.

Lastly, with respect to the issue of fairness and what the status of fairness is, I have to say to the member that I disagree with his characterization that somehow we need to fix a situation for all people living in a common household in order to have fairness. What we are talking about is not the institution of marriage, as he alludes to. I keep stressing this: We are talking about removing the discrimination against common-law couples of the same sex so as to have the same benefits as common-law couples of opposite sexes.

The Acting Speaker: The member's time has expired. The member for Markham now has two minutes to respond.

Mr Cousens: The member for London South referred to my Bill 55, which had dealt with discrimination. Unfortunately, I did have to withdraw it. I would like to have found a way in which we as a society could deal with hate propaganda. To do so also intrudes on freedom of speech. I didn't have the solution in Bill 55.

I'd like to see us continue to work towards some way of protecting those people who are being discriminated against through violent words, through the very kind of thing the member for Beaches-Woodbine and I have referred to, and others who are suffering that kind of abuse. Some day we might find that in society, or maybe we'll educate our youth so that we don't have to have some of these laws that try to work it through.

To me, we're looking for a balance. There is a sense in which we want to find a higher tone. There are offended parties all over the place. If we as a society can begin to build on the things that make us strong, then fairness will result and anyone who is being shortchanged in society will find redress through a government that has looked at all the possibilities.

Mr Marchese: Help us, Don. How can we do it?

Mr Cousens: I'd say we all want to do it. Maybe it has to do with the system we're under. Our committee structure and the legislative structure are such that we're constantly clashing. You've got party politics and the games that go on. There might well be a way. I've been on public accounts and other committees where we've had an excellent consensus develop and build. Maybe some day we'll have a way that allows us to break some of the walls of party politics and allow people to work more closely together. If I were around here after September 30, I would enjoy that, but I will not be here after that time.

I thank members for participating in this debate. I appreciate the comments that other members have made. Though this debate is far from over, society will have to deal with the consequences, whatever we do.

1640

The Acting Speaker: Further debate?

Mr George Mammoliti (Yorkview): Let me start by apologizing to many who have read the paper recently

and have perhaps misconstrued or not understood that which I've been trying to say. That's one of the reasons I'm standing up today and debating this issue. I think people know where I stand on the issue. I think it's important for me to get it on the record and, at the same time, apologize if I offended anybody or if I offend anybody during my speech, because it's not going to be as pleasant as many would like it to be.

I hope people can appreciate the fact that there are individuals on this side and on the other side of the Legislature who fundamentally don't agree with this bill and don't agree with what's happening in terms of the debate out in the province, and in my neck of the woods as well, that being Yorkview.

I'm going to talk a little today about why I object and talk about the fact that the traditional family as I see it might change and has a good chance of changing to a degree that I'm not comfortable with. I'm not looking 10 years down the road, I'm looking more along the line of 50 and 100 years down the road. Quite frankly, I wouldn't be comfortable with what I see as a vision, what I see happening in society if this bill passes as it is.

Changing the definition of "spouse" I will speak about as well, how I'm opposed to the bill for that particular reason and how that as well reflects on the traditional family as we know it and see it.

There's been some debate as well in this place in terms of catering to special-interest groups, and I want to say a little bit about that. I'll finish up by talking about how I fundamentally disagree with what's happening and why.

My colleague spoke about the definition of "traditional family" yesterday. The minister clearly said she's unsure of what people mean when they say "traditional family." I wish to respond to that, because it's important for me to give you what I think a traditional family is in society. That in no way reflects on the fact that I haven't lost sight, I must say very clearly, of the human rights aspect of this that some people are talking about. Where I have a problem is where we're changing definitions and where I believe it will change society later on.

In answering the question of the minister who spoke yesterday before we broke, my colleague from Beaches-Woodbine, I believe very fundamentally that traditional families are blood relatives, marriage, of course, traditional marriage as we see it today, and adoption. I believe this bill takes away from what I think a traditional family is. Unless we as a group figure out a way of achieving what people want in terms of benefits without disturbing that fundamental belief that many of us have, this bill will be defeated.

I've said before that I plan on standing up and voting opposed to this unless we can come up with something that many of us can be happy with.

When we talk about extension of benefits, I can understand some of the arguments that have been posed, both in this place and outside this place, but I want to ask this question: If we're going to do this as a body, is this the time to do it, coming out of a recession? Does business agree with us in this place, and will this cost business any more money?

Interjections: No.

Mr Mammoliti: I hear from my colleagues very loudly that the answer is no. Well, in speaking to some of the businesses in my community over the last two weeks, that's not the case. As I see it, it will cost an extra buck to an employer who will have to extend health benefits, an extension part of the benefits, to their employees. If any of you really believe it's not going to cost them anything, I would ask you to go and speak to any of the insurance companies that might be around and ask them what in essence it would cost to have "family" extend.

The fact that this is a moral issue for me certainly stands in the way. My belief in family and what family is, is my belief, and morally I can't agree with changing the definition of "family." Some might argue that I'm not as progressive as others in my caucus and in this House. I will argue that I have got a gut feeling that we'll hurt society as we know it if this passes. I may not be able to prove every argument I stand up and make in this place, I may not be able to convince anybody to change their mind in terms of what they plan on doing, but what I've got is a gut feeling that we'll hurt society and family as we know it.

Interjections.

Mr Mammoliti: Madam Speaker, I'm not hearing what some of the heckles are. They're even coming from my side, and I think that's a shame. I'd like them to be a little louder, at least, so I can respond to heckles and not just murmurs.

I'm not as religious as I should be, and recently I sent around a letter from the Pope to every office. It was a letter addressed to families from the Pope. I don't plan on changing anybody's mind in terms of religion; I'm not the best Catholic in the world and I don't preach to be. But I tell you, there is one message that will hit your desk from that little booklet that's going to arrive shortly, and that is the message of traditional family as we know it. I would ask you to look at that message, as well as some of the other messages that I certainly would want you to read, for instance, the whole area of conception, where we all came from, for that matter, and how relevant that is with what we're talking about now.

In history you could read about what conception means, where children come from, and where the traditional family and this whole area of conception would of course meet. It has been a natural way of life. Without it, none of us would be here. For that reason, I don't agree with what we're talking about—my own personal view.

1650

Another view comes from a senior minister from the United Church who wrote to me and who talks about God in the letter. It says God "...including homosexuals, without necessarily condoning all behaviour. I do not, in fact, accept homosexual behaviour as legitimate or necessary. Physically, homosexual behaviour is unnatural." You have to excuse me, it's a little blurry. "The body parts involved aren't complementary. They don't fit together. They can't reproduce."

Reproduction is important to some of us in this place.

Reproduction is important to society as we know it, and reproduction is that gut feeling I was talking about earlier as well in terms of what can happen 100 years from now or 150 years from now.

Earlier, I said I'd talk a little bit about the change in the definition of "spouse." This bill will alter, if I'm not mistaken, 55 statutes. It will change the definition of "spouse." It will allow gay and lesbian couples the right to adopt children, and of course will extend benefits to their partners.

The definition of "spouse" for me and for the government is husband and wife, male and female; common-law, male and female. We plan to change that through this particular bill, and I can't agree with that. I can't agree with it because, as I've said earlier, it will change society as we know it and it will set a precedent, a precedent I don't think any of us would want to see.

Let me pose a question to the Legislature, and I want all of you to think about this because I think we need to talk about this. If the legislation goes through as planned and if we then open the doors to others to come in and say, "My religion," or my faith or my belief, "says I have to have three wives," or four wives or five wives, should we not then extend benefits to the five wives or the six wives or the seven wives? Is it not our obligation later on to fulfil that request from others who will come knocking on the door after we set this precedent?

If I vote in favour of this, I would have to vote in favour of others when they come knocking on the door as well. How much will that cost, and is everybody in this place prepared to take a look at that when it happens?

I see a number of individuals in this House laughing. They don't believe it might happen. I'm trying to read some of the body language in this place. I can assure you that with the, as I think the statistics are, 111 or 112 different cultures that exist in the province of Ontario at this point, those cultures that believe they could and should have the right to be married five or six times and have five or six wives will come knocking on our door and ask us to extend benefits to them as well.

I'm not prepared to look at that. I'm not prepared to set the precedent at this point. While we could all have our little chuckle over the issue at this point, I think you should go back to your offices and think about the repercussions if it does happen.

Some will argue that the government is catering to small interest groups. While we and the media have made this into a gay and lesbian rights issue, if this legislation were to go through, is it not our responsibility as members to stand up and represent the others who might claim that their human rights are at risk? Should not two sisters or two brothers or a daughter and a granddaughter share benefits? Should an aunt and a niece share benefits? Nowhere in this piece of legislation does it suggest or recommend that this happen. I know for a fact that there are individuals who are asking that question.

Recently, I received a letter from Waterloo—

Mr Gilles Bisson (Cochrane South): On a point of order, Madam Speaker: I would ask if it's in order to heckle one's own member.

The Acting Speaker: Out of order. The member for Yorkview, please continue.

Mr Mammoliti: If that's the case, if you can heckle your own member, let me know, Madam Speaker. Let me know quickly.

There was a letter sent to my office from Waterloo, Ontario, from an individual who says—well, let me read it to you. Halfway through the letter, it starts by saying, "For example, my mother was raised by an aunt and uncle who, due to their distant blood relations, were not considered eligible to be family." That's of course after somebody had died and after they had made some inquiries in terms of benefits. This person is saying, why just the gay and lesbian community? Why not the others?

I will say to you very clearly today, Madam Speaker, that there's a point to be made here. When people say we're catering to a particular group, maybe we are. Maybe we should be looking at it. If our intent is the human rights aspect to this, maybe we should introduce another piece of legislation that would satisfy this individual, that would satisfy Barbara.

I don't think that we're committed to do that. I think that we should be looking at those arguments when individuals do come forward and say that we're catering to a particular group. For that reason, I can't agree with the bill either.

This is going to be very controversial, Madam Speaker, and again I apologize for saying this, but it is my view. It's a view that I hold and if anybody takes offence to the statements, well, maybe we could have a chat later on and I can explain why I feel this way.

Some people believe that the lifestyle in the gay and lesbian community is unacceptable. While I don't know the lifestyle per se, I hear some of the arguments that come forward and I ask myself, does this occur, does it happen? If it happens, should we reflect on the bill when—and I'll get to the point in a minute, Madam Speaker—it talks about adoption?

I've had literally hundreds and hundreds of letters written to me on this issue and many of the letters would reflect what I have in front of me in terms of what I call turning sex into a game, a toy. I don't accept it and neither does my community. Some of the language that is in this leaflet will certainly shock many of you in the Legislature, and I'm not going to read it all to you but I can tell you that when we talk about electric torture, whipping, water sports and scat, fisting, cleaning your toys, what does that say to the community, that wide and open community in Ontario that believes that lovemaking has turned into a toy? What does that say? My question to the people who sent me this from the community that we're trying to extend human rights to through this bill is, does this go on? And if it goes on, do you believe that it's fundamentally acceptable to include the adoption of children? What will that do to society as we know it in 100 years?

1700

Many will say: "Well, it's behind closed doors. What happens in my bedroom my children won't even see." I don't believe that argument for one minute. I believe that

children pick up from their parents, and if we extend the definition of "spouse" and open up traditional families, those children will be influenced in a way that we'll never, ever forget. That's my argument for opposing this particular part of the legislation.

Some will say: "Well, it doesn't happen, George. It just doesn't happen." Well, how do you explain the lobby that has sent this to me and that have advocated—

Mr Anthony Perruzza (Downsview): Those are the other guys, though.

Mr Mammoliti: No, no, not at all. My colleague made a comment here that it's somebody else. It isn't anybody else.

It is a question that I pose to the community. If it does happen, it's unacceptable to me and I would never, ever agree to the extension of this bill as it is in front of us.

Many arguments as well, and again this may be controversial for a lot of people—but there are statistics from the Ministry of Health that I've looked at—talk about behaviour and are very relevant to this if this is the case. When I was speaking to people from the ministry, they made it quite clear that this and the statistics I'm about to read to you are pretty relevant. As a matter of fact, in the leaflet it talks about the prevention of HIV and AIDS.

I want to ask you this question and I want to ask all of you very clearly. In the Ministry of Health statistics from 1981 to the end of 1993, the total reported cases of AIDS were 3,712: 272 were heterosexuals, 107 were blood transfusions, 114 persons contacted it through drug use and 3,190 were homosexuals. Those statistics are frightening to me. Some will argue that they may not be true. Phone the Ministry of Health and find out whether or not they are. I'm pretty frightened by those statistics. That leads me to believe that it is pretty prevalent in the homosexual community. Another question: whether or not some of you now find it acceptable behaviour. I don't.

Madam Speaker—or Mr Speaker, I'm sorry. I didn't see you come in the room—

Interjections.

Mr Mammoliti: It's not relevant, Mr Speaker.

I only have five minutes left and I'm not sure that I'll take up all the time, but I would argue that the majority of the people in Ontario would agree with some of the arguments that I've brought forward today and that they would ask this House to look at what the majority of the people in Ontario would want.

I got another letter recently from an individual who supports the bill, and this person—her name is Jennifer—says to me very clearly:

"You have used your power and authority in a totally disgusting way. Many people who may look to you for leadership will now feel justified in their destructive views about gays and lesbians. They can give vent to their hatred and fear in many ways, from teasing to vicious beatings."

Over the last two weeks I have knocked on a lot of doors in my community and since the debate has started have certainly tried to get some feedback in terms of

what my community wants, and I am thoroughly convinced that this individual is right. I should use my leadership, and I should vote with my conscience. I should do what my community wants, and my community very clearly has said to me they don't like what's in the bill. They want to see some changes. They don't like it the way it is.

That's leadership. I got elected in 1990 to do that. That's leadership, in my opinion. I'm trying to show that. I'm trying to do what I think is proper and what I think is right in this House, and quite frankly this Jennifer from Toronto, who doesn't live in my riding, certainly doesn't know what my riding wants. Another person wrote to me, from my riding this time, and is quite clearly saying that they don't want government to legitimize this type of behaviour.

Lastly, some will argue that some MPPs in this place are utilizing this place for political reasons and using this forum, especially this issue, to grandstand. I assure you that's not what my intent is. My intent from the start and my opinion from the start has been one and has been for years that when I see letters coming from the leader of the Liberals, who talk about one thing one day because it suits their needs for a by-election in St George-St David, and then after the election's over and they have their MPP elected, they have decided to abandon that MPP and say: "Forget about it. We went with you, we walked door to door with you, we talked with you. We promised"—I have a letter here that says that if the Liberals were elected, "I'm calling on you to heed this direction and take action now to recognize the rights of same-sex couples."

Not a few months later does the Liberal leader do an about-face because of political reasons, because she probably knows the majority of Ontarians disagree with what the bill is talking about, as I do. She has completely done a flip-flop. I pose the question to the Liberals: What happened to Humpty-Dumpty when Humpty-Dumpty sat on the wall?

Mr Bisson: Is this going to be like the Three Little Pigs story?

Mr Mammoliti: Well, it's almost like the Three Little Pigs story, but I think it's quite relevant. Humpty-Dumpty fell off and cracked his shell. Then how many king's horses and how many king's men did it take to put Humpty back together again?

Flip-flopping on an issue like this, sitting on a fence on an issue like this, will not gain any respect from anybody out there. You take a stand and you stick with it and you deal with the repercussions.

1710

The Speaker (Hon David Warner): I thank the honourable member for Yorkview for his contribution to the debate and invite any questions and/or comments.

Mr Bob Huget (Sarnia): First of all, in the very brief time that I have, let me say, without any confusion whatsoever, I'm in total disagreement with the statements made by the previous speaker.

I don't know how some people think that removing discrimination against some people in our society dimin-

ishes the status of others. Frankly, I hear the argument over and over that if I give rights to this group, it takes away the rights and the status of the traditional family. I don't believe that for a second. I believe that you can give rights to people in our society and not diminish the status of others.

But while we're on the subject of the traditional family, I'd like to ask the previous speaker to explain to me how he deals with the facts, and the facts are simply this: Gay and lesbian individuals in our society are someone's children. They are someone's brothers. They're someone's sisters. They're someone's parents. How does this traditional family view deal with that fact?

The other issue that I think is extremely important is that this is not a Metro Toronto issue. There are gay and lesbian people in every riding of this province. There are gay and lesbian people in my riding of Sarnia, and there are a lot fewer because my community, like many others, discriminates. It does subtle things. It makes people uncomfortable in their own communities, and I know of gay and lesbian people in my community who are past residents who are now living here in Toronto because they could not live at home.

If people in my constituency expect me as an elected member to gay-bash, to drive people out of my communities, to continue to discriminate against people in our society, they'd better find someone else to do that.

Mr John Sola (Mississauga East): First of all, I'd like to congratulate the member for Yorkview for not being his usual belligerent self.

Mr Larry O'Connor (Durham-York): Is John here?

Mr Sola: That's right; it's a miracle.

At the same time I'd like to congratulate the NDP caucus for allowing him to speak what is essentially heresy for the party. Perhaps democracy is returning to this House when a party, and a governing party at that, allows dissenting views to be voiced. So congratulations there.

I would think that his remarks were quite thoughtful up to a point, but they were very courageous because the member for Yorkview opened himself up to ridicule, abuse and labelling. That is something that is not very welcome for any member of society, but particularly one in a high-profile position in a community such as an elected official. It takes a lot of courage to voice opinions that may not be acceptable but that the person believes to be true.

I would like to point out some other things. He mentioned other cultures living in Ontario who believe in polygamy, but there are cultures that are of North American origin that have a Christian sect or denomination which also allow polygamy. So that question is not as wild as it seems.

I understand how overwhelmed his constituency staff and his office staff are by the overwhelming response to this question, because I can tell you, yesterday it got so bad that I could not get through to my constituency office. I had to get an emergency service to get some information from my constituency office. The response has been just overwhelming and it has been about 100 to one against this legislation.

Mrs Irene Mathyssen (Middlesex): I too would like to comment on some of the remarks made by the member for Yorkview, specifically on the premise that we should be permitted to deny benefits to couples who cannot produce offspring, cannot produce children. I would like to point out that, if we follow that logic, it means that couples who are unable to have children or couples who choose not to have children or senior citizens who are past their child-bearing years who choose to seek the comfort and the companionship of marriage, all of these couples should then be denied pension benefits, medical rights and their human rights. I'm afraid I don't understand that logic.

It's also important to say that human sexuality is a precious gift of love between two human beings. To ascribe the abuse of that to one group fails to acknowledge that there is pornographic material that portrays heterosexual acts. If we are concerned about pornography, then we must be concerned about all pornography. I think many people in here will recall growing up with erotica. It's readily available: Playboy, Penthouse, Playgirl. It depicts heterosexuality. I think to comment on one group and not another is leaving a serious omission that we need to address.

Lastly, I would urge all members of this House to indeed heed the words of the member for Yorkview and not give way to hatred and fear.

Mr Malkowski: I wish to congratulate my brother for expressing his viewpoint. I respect the way he's done it, but I'm also honoured to be able to share my own view. I'm a very, very proud Catholic father of five children myself. I wish to inform people that I come from a traditional family but I believe in the importance of my children knowing I'm also a very strong supporter of the example of leadership to end discrimination against all people in our society. I want my children to learn those values, and that's why I support the extension of same-sex benefits.

I believe that human rights are a basic foundation in our society and I want my children to value those things. I want my own children to know that their dad did his best on same-sex. One day maybe one of my own children could become lesbian or gay. Who knows? Who's to say? I want to prepare a society that may be ready for them. I think it's important to send out a positive message for people so they can develop a positive self-image of themselves.

I don't understand how anyone could vote against simple legislation which would end discrimination. If you have children, how could you possibly want them to grow up in a world where they might be discriminated against? I think it's important that as parents we lead the way to end discrimination. The extension of same-sex benefits is one of those ways.

I believe that gay people are good parents, just as straight parents are good parents. I'm a proud Catholic father, I come from a traditional family, and that's why I'm supporting this legislation. I have children and I'm very, very proud of that fact and I'm very happy and proud to share that message with my fellow Catholics and my fellow constituents.

The Speaker: The honourable member for Yorkview has up to two minutes for his reply.

Mr Mammoliti: In response, I want to thank the member for Sarnia, the member for Mississauga East, the member for Middlesex and the member for York East for their responses.

The member for Sarnia talked about traditional families. I'm not sure whether he referred to me as a gay-basher or not. I hope he didn't; I didn't quite hear it. But if he did, I take great offence. I am not a gay-basher. I said earlier that I understand the human rights component of this, but I can't agree to the extension which we're looking for, and that's what I talked about today in the Legislature.

I want to thank the member for Mississauga East for his comments, and the Premier for allowing us a free vote on the issue, it being so controversial. I too have great respect for the Premier for doing that. But I would also ask the member across to talk to his particular leader and talk to her about swaying on the issue and dealing with this as perhaps a feeling in your heart or a gut feeling as opposed to politics. This is not an issue of politics.

To the member for Middlesex, I'm sorry if she got my message wrong. I did talk about adoption and I did talk about how I felt that adoption is included in the traditional family. Perhaps Hansard might be able to clear that for her if she has misunderstood me.

As to pornography, I thought the discussion today was in terms of the gay and lesbian community, and I spoke very clearly about some concerns I had from literature that was sent from that community to my office.

I want to thank the member for York East for giving me his opinions. I take his opinions to heart. I wish I had more time to respond, Gary, but the time's gone.

1720

The Speaker: Is there further debate?

Mr Hans Daigeler (Nepean): When the issue of same-sex family benefits first arose in this House more than a year ago, I voted against it. A fortiori I will be voting against the government's sweeping attempt to redefine the meaning of "spouse" in all provincial statutes. My reasons, briefly stated, are as follows.

Family benefits are just what it says: benefits, not rights. Benefits are special rewards that society bestows from time to time on a select group for various and changing reasons. They are clearly not legal entitlements to which everyone can lay claim.

Some couch the current debate in the noble language of human rights. In my view, this is a deliberate but misguided attempt to reshape reality as it is perceived by most people. It is using the power of words to build a strange new world in which age-old concepts of human relationships are radically altered.

I do not know when, precisely, governments decided to recognize through family benefits the special burden of child-rearing and the sacrifice that many women traditionally have made in this regard by giving up employment-related benefits. Whether these reasons still hold today is open for debate. One might well ask under what conditions family benefits should be awarded today and

whether it still makes sense to grant them in the first place.

Clearly, however, this position is fundamentally different from the approach that calls for family benefits because homosexual relationships should be seen in the same light as heterosexual ones.

As I see it—a view that, by the way, is shared by most of the constituents who have contacted me on this matter—the mutual attraction between a man and a woman is the most basic paradigm of human otherness. I'm using the expression "human otherness" in this context as an inadequate but unavoidable translation of the powerful French term "altérité." The male-female relationship is the archetype of what it means to be different from one another, of what it means to joyfully accept this difference and of what it means to work creatively through this differentiation towards the eternal new beginnings of child-rearing.

The state has a fundamental interest in recognizing, protecting and even encouraging this elementary bipolar relationship, this most fundamental openness towards what is different from our own selves. To claim that a man-man or a woman-woman sexual relationship should be equated with heterosexual relationships is to deny the primordial value of sexual differentiation, and I'm not prepared to support such efforts.

Some people may accuse me of homophobia. If this questionable word has any meaning, it means fear of sameness, "homos" being the Greek equivalent of our English adjective "same." In this sense, I am indeed fearful of sameness, for I believe strongly in the endless enrichment that comes through the ongoing challenge of male-female relationships.

For the love of the Homo sapiens, the mensch, the human being who finds its fullest expression not in woman alone, not in man alone, but only in their mutual complementarity and in its perennial offspring, the child, I have voted in the past against the ideas expressed in Bill 167 and I will do so again in the future.

The Speaker: I thank the honourable member for Nepean for his contribution to the debate and invite any questions and/or comments.

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): I can't help but think back, when I listen to some of the debate and statements made in the House, or imagine some years ago, actually not all that long ago, when all male parliamentarians were debating and discussing whether women should be allowed to vote and whether women indeed could be looked at as persons. Not that long ago, that was the big debate of the day and I can't help but think that a lot of the language, phrasing and rationalizations were used in that debate as well.

When I think back to that and think of where we are now and how over time it became accepted—but it was a raging debate. There were those who thought that women didn't have souls and couldn't participate in these kinds of debates. Now there are women here in this House. There are women taking part in all aspects of our lives, not only bearing children.

Obviously, people here in this House know where I stand on this issue. I guess I see it as my duty, because I feel so strongly about it, to try to be as rational as I can—not too emotional, although it's hard, but as rational as I can—to remind people that this is a human rights issue. It's not couched in those terms; it really is. The courts are telling us that.

It's been said time and time again that the courts are making these decisions for us anyway. It's happening very quickly. We can be dragged kicking and screaming into it, spending millions of taxpayers' money, or we can do the right thing and get on with this now.

Mr Bisson: I'd just like to respond to two points the member made in his speech; the first one being that benefits are just that, they're benefits, and benefits are sometimes things that are granted from time to time to society when society chooses. I would tend to disagree with that. I would ask the member to reflect back on a number of issues that our society in North America and here in Canada have had to deal with over the years, everything from the civil rights movement on. If we were to take that attitude, and if our Constitution and our charter were to take that view, it would be very much a bad day in Canada and I think a bad day in North America, because I think a lot of the rights that people have attained over the years would have never happened. How we began to change society and how we got society to see the issue for what it really was, is that people—thank God there was a Constitution there and a charter—were able to challenge those decisions over the years.

The other thing he talks about is that this is couched as a human rights issue and we're just couching it that way because we're somehow trying to do something subversive. This is not couched. The human rights—when you take a look at what's happening regarding the decisions of the Supreme Court of Canada, the Court of Appeal of Ontario, and you take a look at the Human Rights Commission, they have all very clearly come back and said, "According to the Constitution of our country, according to the Charter of Rights and Freedoms and other statutes, clearly a society cannot deny people rights that they have attained under that Constitution."

I beg to argue with the member; he is dead wrong on this. This is a question of rights. What has happened over the years is that many people have brought their governments and their employers to court over a number of the issues that we're debating within this bill. It's because of our charter and because of the laws of the land that the courts have ruled in the way that they have. I would ask the member to think about that when he's responding.

1730

Mr Callahan: The issue that's raised in trying to put this on a level of human rights I think is wrong. If we're talking about human rights, we should start talking about the human rights of children. The courts have been the protector of children since day one. That's with heterosexual couples. I've had many cases of custody where I've had to tell my client, "It's not your wishes, it's what's in the best interests of the child." I have a grave fear that with the bill that's been put forward by the Attorney General the courts would lose that paramount

and down-through-history role of being the *parens patriae* in looking after children.

I suggest to you that when a government brings in a bill the way this government brought this bill in and tries to amend the number of acts it has done without one iota of looking into what impact that will have in terms of that traditional role of the courts being able to be enforced for the rights of the children—and I think we're forgetting this in this debate. This debate is not talking about those rights of the children.

I have to say that it troubles me greatly, because we see the Conservative Party obviously using this in a political way. This will become a crucifixion of human beings who perhaps are homosexual—gay or lesbian—who are going to be dragged through the mire in the next provincial election. That troubles me. That is something that legislators should not do.

This is not a political issue. This is an issue dealing with the rights of children, the traditional rights of children, the role of the courts in dealing with children. I suggest to you that you had better take a hard look at these acts, because I don't think anybody, including the Attorney General, has absolutely any idea what the impact of this amendment, this gross amendment, to all of those acts will have on the children of this country.

Mrs Barbara Sullivan (Halton Centre): We know in this House that the most difficult debates we have to face are those involving the moral and ethical issues of our times. I believe that this bill in fact is clearly one of those issues and one of those debates and it reflects the ethical values that are held by and reflected by the members of this House.

I believe the member for Nepean has expressed in his place and has put into a theological and moral context his views and the views of many adherents of his position. He's expressed them well. They have been based on a fundamental theological moral basis, and that is what he has put before the House.

In my own view, the member has given through his remarks an indication of something that I believe, that fundamental ethical change through political vehicles such as this Parliament must take place incrementally as changes in society occur and as those ethical changes are taken into account. My constituents tell me we're not there yet, as the member for Nepean tells this House his constituents tell us we're not there yet.

I appreciate the tone of the debate that the member for Nepean introduced into this discussion. I think the more thoughtful ethical views that are put on to the floor of the House, the better.

The Speaker: I acknowledge that the honourable member for Fort York was surprised that he did not catch the Speaker's eye. Indeed the normal custom is to go in rotation, and that was broken inadvertently by the Chair, for which I apologize, but we have had four people and it would take unanimous consent to allow a fifth one. Agreed? I recognize the honourable member for Fort York.

Mr Marchese: I just want to respond to the member for Nepean on the whole issue of benefits. He advances

the same argument as Ms Fawcett from Northumberland. Both of the members have stated that benefits are not rights, and Mr Daigeler said that they're not legal entitlements nor should they be confused with legal entitlements.

The fact of the matter is that we as heterosexuals have rights and entitlements accorded by law and gays and lesbians do not. By the same laws that discriminate against them, there are laws that give me entitlements. It is true that laws entitle people. What we're saying through this bill is that they should have the same entitlements as the rest of us. The courts are moving in that direction and there are a number of cases that they're probably aware of, that we're aware of, that begin to give justice to people who are lesbians and gays.

There is the Leshner case, where a lawyer challenged the Ontario government's pension plan as discriminatory under the Ontario Human Rights Code for not providing survivor benefits to his same-sex spouse. The board, in hearing that case, ordered that the code be interpreted to ensure that same-sex couples are given the same benefits as opposite-sex couples and that the government must provide survivor pension benefits to same-sex spouses within three years of the order.

The fact of the matter is that human rights commissions are increasingly ruling on this and are giving entitlements to gays and lesbians and I suspect the courts in time, as the statutes are challenged, will do the same. What we as politicians are saying is, let us lead and not wait for the courts to continue to provide those entitlements that they should have by right.

The Speaker: The honourable member for Nepean has up to two minutes for his reply.

Mr Daigeler: Indeed, I think the crucial question here is, are we talking about a human rights issue or not? I gladly accept the fact that the notion of human rights, what constitutes a human right, has been a developing one. There has been a significant evolution of what are considered human rights or not.

It may well be, although I personally doubt it very, very much, that in years down the road the majority in our democracies will look at this issue as a human right, because that's how, in a modern society, we make these kinds of decisions and live with these kinds of decisions.

We decide through the democratic process, not through the courts but through Parliament, through the elected members of the people, what are considered the fundamental values of our society. Therefore, I feel that we have to lead on this issue and we have to decide on behalf of the people whom we represent what are the most fundamental values of our society, and it's up to the courts to interpret that will. The will of the people is expressed in this Legislature and not through the courts.

If the people feel that I or all of us are not expressing the will of the people, then they will vote us out of office. These are the principles of our modern democracy and of our modern political system that we're operating under and that we have all acknowledged and accepted. In this regard, I put forward the very strong view that this bill is not a human rights issue, it's a benefits question,

and therefore I will be voting against it.

The Speaker: Is there further debate?

Mr Malkowski: I'm very, very proud today to stand in my place and join in this debate on second reading of Bill 167 on the extension of same-sex spousal benefits. I believe this is a very important foundation, that being human rights in our society, and to be very clear that yes, it's still a moral issue. I want to share with you a little bit about how I feel and why I think this is so important, not only to me but also to the people of York East. I wish to show that and give my feedback to the people of my constituency and to the people across the province.

The message we would give here is that our New Democratic Party government has been accountable in principle, in our commitment and our belief in inclusionary society, to end and to stop discrimination. That is a very key fundamental value. This is a part of our human rights agenda. It's also cost-effective inasmuch as it saves on legal expenses and costs that would be incurred in court in order to fight this.

1740

Thirdly, the economic and emotional benefits to people from a human rights perspective are great. Traditionally in history, the Ontario society has seen many, many, many different kinds of changes. There are children who come from gay and lesbian parents, children who are gay and lesbian themselves and from many different kinds of groups. People have different experiences, not only within that community but many other minorities as well who have faced discrimination in this province.

This is very important, that the extension of same-sex benefits address the discrimination that gays and lesbians have felt and that the lives of those people be reflected in society: that it becomes an inclusionary society, that we include all the groups in society. This is what's important. I am very passionate about this. I want to make sure that we have all members of society to take their place in the sun and to stand equally among each other, no one over anyone else. It's an equality rights issue.

It's very important when it comes to accountability that we show leadership in this place. We have seen the best of traditions in Ontario developed and we have seen the foundations of human rights issues emerge in this province and within Canada. We should be proud of that. If we look back at the history of the development of human rights, we can talk a little bit about the issue.

I will go on to explain that the Canadian Constitution, when we implemented the Charter of Rights and Freedoms, was passed by the federal Liberal government in 1982. Prime Minister Trudeau was the Prime Minister at the time. This established for us legal protection for people. We have a Charter of Rights and Freedoms, and equality issues were addressed in there for the choices.

The Ontario government, at the time a Liberal government, in 1986 adopted the private member's bill from the member for Ottawa Centre, Evelyn Gigantes, who introduced a private member's bill, an amendment to the Ontario Human Rights Code to include sexual orientation within the Human Rights Code. This was passed, and the Liberal government of the day saw fit to pass it.

These are remarkable steps in the history of the human rights evolution of this province, both passed by Liberal governments. This is not a partisan issue. We should be able to face this as legislators and to show the emergence of guarantees of human rights in this province. We have a progressive agenda. We have a history behind us. We should be able to build on that. Today we are asking again to build on that and to continue to build on that.

One of the hardest things for me and one of the things that takes me back is some of the opposition coming from that Liberal Party. They seem to be backtracking very quickly. I thought we had helped to grow within human rights in this province, and they had a role as a political party in this province. I wanted to see the end of discrimination—this is an important point—and I would ask them to join in that.

Whether you are a Conservative, a Liberal or a New Democrat, I thought we were all here to work together for the betterment of people and to stop discrimination. Is that not a point and a purpose of the things we do here? Is that not a purpose, to help educate those who may misunderstand so that we can see the end of discrimination in Ontario?

I want to talk a little bit about the cost-effectiveness. As you all know, and as we see within the Charter of Rights and Freedoms, respect of individuals and their sexual orientation is included in the Human Rights Code. It's very, very clear where we need to go from here, and society knows where we need to go from here.

There are many, many private businesses and companies which have already taken the lead on this. They are aware. They know how important this is in terms of human rights and the extension of these legal rights to people. I am happy to name some of those corporations and companies that have shown some leadership.

I can give you some examples of those who are not afraid to move ahead: the Hudson's Bay Co, Levi Strauss of Canada, Dow Chemical, IBM, the North American Life Assurance Co, the United Church of Canada, the Metropolitan Toronto Police, the Globe and Mail newspaper publishing company, the Toronto Sun, the Canadian Auto Workers and many others. There are many names of many companies I could go on to list.

The point is that these people provide coverage and same-sex benefits to their employees. They are showing leadership. They know that we as a Legislature do not want to get into spending money fighting things in courts. They've shown leadership that way. They have made a wise decision, and we can follow that lead as legislators. This is an important thing, to include same-sex benefits.

I would say to you, it does make sense to pass this. Our government has accepted its responsibility. We are accountable to the people. We have asked in these tough economic times to save money. Why would we continue to spend money fighting something that is going to be? The Charter of Rights and Freedoms is there. It is a goal for us to build on. It is something for us to respect, that we may respect each other. This is an important value that we can pass on to each other and to our future generations.

I'm very proud of the history of our government in showing leadership. We can show the way to other jurisdictions across Canada, that we should be the first in Canada to do this. We should be proud of this, that we can lead the way in human rights reform.

I also want to talk a little about the economic and social benefits, and how, by respecting what I believe are the key important messages when you end discrimination, you have a better society, where people are better able to freely mix and to participate. That has economic benefits if all people are participating equally in society. This is another basic belief I hold. I want to see equality rights extended so that we have a stable society, so that people can support each other in business and in play, and that we have solidarity in the business of respecting each other and tolerance. Those are things we can foster, and Ontario should be a place for those things.

The saving of finances from this comes also from those partners in those households where maybe gays and lesbians—if someone were to die, for example, they need the death benefits. There are property rights that need to be addressed, there are pensions that need to be addressed for people as homes are broken by a death. Why would we want to see someone left without any kind of income, having to go to welfare, when spousal benefits will go a way to protect the income of those people after they've lived in a relationship? They pay taxes. We need to make sure that for society's interests, people are protected and they have a means of supporting themselves. These are some of the cost-effective ways this legislation will go to help preserve a stable society. I think that goes a long way.

I find it very hard to believe there are groups within the Conservative Party whose philosophy is—of course, we know where they come from. They are very concerned with big business and fiscal conservatism. We know that. So it makes sense to you to follow the lead of what business is already doing. Look at what those companies have done. I would suggest to you that you reconsider your position on same-sex benefits. Why would a party that represents the interests of big business, when business is already doing this and you look at the business practices across the world, not take a hint from them and look at this? I don't understand why you would be opposed to this, but we'll let it stand for itself.

If you wish to see more spending happening in court costs and legal challenges, I guess that's your position, but I would challenge you. I would just throw that question out to you. I don't think the Ontario public would want to see us spending money in the courts on something when we can pass this in the House and save money for court challenges. Court challenges will come. It will cost money. We're trying our best to preserve money in these tough times and to spend money wisely. I'd ask you to rethink, sirs.

Another very important question for all members of this House to think about is the question: Are gay and lesbian people, in your view, responsible enough and willing to accept the responsibilities and obligations in society? Do you not think so? It's a question I would pose to you. It's something I ask, and I would ask the

opposition members to reconsider. I believe they are. I would ask you to respond to that in your comments to me.

1750

This is an important foundation in terms of human rights for our society, because yes, gays and lesbians and the community are ready. They have always been ready to take on the responsibilities and obligations, just as we are. They are willing, they are keen to get on with their lives and to join in society as equal members. It's very clear. It makes sense to see people, all of our citizens who pay taxes, no matter who they are, have their place in society and their rights guaranteed. It can't be any other way. This is something we wish to encourage and this is a question I would suggest to all of you, that you reconsider the place of people in society.

I would like to talk a little about a letter sent from the Leader of the Opposition, the Honourable Lyn McLeod. It was a letter sent to the Coalition for Lesbian and Gay Rights in Ontario. The letter was dated March 1993, and in her letter she says, "Let me be perfectly clear that we must end discrimination against lesbians and gays." She goes on to say in her letter, "It is my strong belief that human rights are not up for debate and that the Ontario Legislature should be consistent with the Canadian Charter of Rights and Freedom... should be amended."

It's very clear in her letter that the Leader of the Opposition once supported it, and now I'm finding it very difficult to understand how the Liberal Party, in such a short time, given its history, which was very prominent in human rights traditions in terms of Prime Minister Trudeau and what he did in 1982 in instituting the Charter of Rights and Freedoms—you have so much to be proud of. Amendments to the Ontario Human Rights Code for sexual orientation were included by the private member's bill of Evelyn Gigantes, the member for Ottawa Centre. Liberal governments have progressively always been there.

You had a by-election and you campaigned on this in the riding of St George-St David. You went forward and you told the people of that riding that you supported these things, same-sex benefits. You've been very clear, and now today we find a different story, a big change, a complete reversal of where you've been. You're sending a confusing message to people. I'm not so sure if that's the kind of leadership one might look for, that you'd look to take advantage of people in an opportunistic way. I suggest to you that you have a very proud history and that you should go back to that. Don't backpedal on this, please. I am here to encourage all of you to rethink.

I'm very proud of the New Democratic Party and our tradition and our beliefs. We've rolled up our sleeves, and we've taken some heat for this, but we will continue to fight against discrimination wherever it may be. I would encourage all of you, and I respect the opinions of all the people here in this place, but I would ask you again to think of the model we would send to people if we were to reform human rights, to show some leadership, because the results of doing that would be profound.

Same-sex benefits in the amendments and the legislation send a positive message to all people, most of all to

our future generations and to those children who will look and see what we did in this place, that yes, they can be proud to stand in a jurisdiction that ended discrimination, all forms of discrimination. You should be proud to have a role in that, that we can give a legacy of hope to our younger people coming along and to our future generations, not only our children but our grandchildren and their children.

We want a society where everyone feels safe and has an opportunity to be treated equally. I believe we have an excellent opportunity here to do that. We have an opportunity here to leave a legacy of positive self-esteem among all people, that we have a society that accepts people no matter who they are. That's a positive message to send to people. That's a positive message for communities to have. As we look at our history, we have a very proud record in this province. Maybe in 50 years they will say: "Look what they did. Isn't this wonderful? We won't forget the good things this province continues to do in showing leadership in the country and for all people and for all provinces."

I would hope we could encourage further development and further leadership in human rights and in the movement thereof, because it can only have a positive impact on communities in both social and economic benefits. We want to see an equal society where all are included, no matter who the group is. To be an inclusive society, that includes gays and lesbians. Of course it does.

I want to also mention and ask you to think a little bit about something from my own experience I'd like to share with you, if you don't mind. When I went to a school system here in Ontario, there were so many comments. People would write articles and people would talk about, "Gay and lesbian people are sick." It's amazing how you get that information, but you have an opportunity with friends, by meeting other gay and lesbian people—I happen to have friends who are gay and lesbian—and you know what? They just have a different way of being in some ways. It's just another expression of life. That's all that is.

They pay taxes. We share the same food. We share the same society with you, so hate is for what? Hate's the fault; it comes from misunderstanding and fear and possibly ignorance, but I would suggest fear.

Sometimes we come to things with all kinds of pre-conceived ideas; that's the kind of thing we need to stop. We need to stop the fear, we need to stop the confusion. We need to show some leadership in this place to end that kind of misguided misinformation that may come about.

Having legislation like this can go a long way to educate people. Gay and lesbian people are just like anyone else. There are differences in communities, and that's okay. It's okay to be different.

As we extend benefit rights to people, yes, once again we are showing a difference and a respect for those differences. We need to be keen on this because again, through our lived experiences, we know. Speaking for myself and knowing the disabled community, there are gays and lesbians who live in that community. Where would they be if we take away rights? Same-sex partners:

What do they do? They provide a foundation of love and support, not only financial. Without that, how can many other people proceed with their lives, without a financial support? Gay and lesbian people who may be disabled being denied that just creates further hardship and further oppression. People are tired of living on the sidelines. Let's pull people off the sidelines, including gay and lesbian disabled people. People want to live in society and be included.

Again, I ask you to help us do that, to pull people together and to have a message to everyone and to parents who have children, whether they're disabled or not, that it's okay to have someone who's different. It doesn't matter if you have a different life or if you look different or you happen to be shaped differently or have a different colour. All members of this are all members of a community and we come together and we are Ontario. This is something we need, and we should be proud to promote in this place and in the country and that we can be that model for the world stage to look at. Yes, Ontario has a reputation of being progressive and open. I believe passionately in these things.

I wish to wrap up. One of the most important foundations is, of course, human rights, and gay and lesbian people are responsible. They are ready. They are waiting to take their place in the sun. That's a fundamental question I would throw to all of you to reconsider, those of you who are opposed to this legislation, to think about extension of rights. Don't misunderstand and don't let fear guide you.

There are many parallels with again, as others have mentioned, the debate on women's rights. People will say, for adoption rights, they are afraid this is somehow going to be a threat to things. I would suggest to you people that the recognition of same-sex benefits and adoption of a child is not a threat to the family.

The United Nations in its Convention on the Rights of the Child recognizes that it's important that children need—what? Most of all, a good, emotional, stable, loving foundation. That includes financial considerations as well as social and emotional needs. No matter who those parents are, if someone can provide a loving, caring home for someone, who are you to deny that to someone?

Based on those experiences, it would be a wonderful opportunity if we could talk to other children who are raised by gay and lesbian people, hear their stories. There are statistics that show those raised by gay and lesbian people don't turn out any differently than your sons or daughters. I would suggest to you, as any other child, they are just as happy and socially and emotionally adjusted as anyone. So I would challenge members, do we then and can we give love to children? Of course we do—my own children, my own daughters and sons.

If someone, let's say, has an uncle, can an uncle then give love to a son or a brother? That's same-sex in a sense. That's a loving relationship. Just because one happens to be gay, why would you then suppose that they can't offer love to someone else or be supporting or give a hug? What is the harm in that? What is the difference between someone, just because they happen to be gay or lesbian or straight, being supportive and loving to

someone in an emotional way? Don't let fear misguide you. That is my point.

It's very, very important that we support people in these relationships. This is my strong belief. Yes, there are those who say that men and women are the foundation, but I want to say to you that men and men and women and women also have a beautiful, loving relationship and that there are many examples that we can give and many community members. I mean, you go out on to the street, you look at the variety of people on the street. All loving relationships are beautiful, I would suggest to you. We can only achieve further understanding and further love by respecting each other and respecting the rights of people. That's a picture, a holistic, global picture, that we can show to the world. We don't want any gaps. We don't want more suffering by communities. We don't want to see discrimination continued. We want to change that picture. We want to see a picture of positive growth, positive benefits, of good information, of supporting, loving relationships. It's a message of hope and a message of human rights that we send to everyone by doing this, by making those changes, building on our history of positive, progressive change.

This is a foundation and it's a question I throw to you, those of you who are opposed, to accept that responsibility and to look for equal treatment for all the citizens of this province, no matter who they are, whether they're gay or lesbian. They have basic rights and responsibilities and obligations and it's up to us to help them achieve a loving, stable relationship.

I see, it being 6 of the clock, I'm out of time. There are other comments I would wish to make, but I would suggest we adjourn debate for the day.

The Speaker: When this bill is next called before the House, the honourable member for York East has up to six minutes and 37 seconds to continue his speech.

BUSINESS OF THE HOUSE

Hon Brian A. Charlton (Government House Leader): Pursuant to standing order 55, I wish to indicate the business of the House for the week of June 6.

On Monday, June 6, we will continue second reading consideration of Bill 167, the Equality Rights Amendment Act.

On Tuesday, June 7, we will consider an opposition day motion standing in the name of Mr Harris.

On Wednesday, June 8, we will continue second reading consideration of Bill 167, the Equality Rights Amendment Act.

On the morning of Thursday, June 9, during private members' public business, we will consider ballot item number 61, a resolution standing in the name of Mrs Carter, and ballot item number 62, a resolution standing in the name of Mr Beer. On Thursday afternoon, we will continue second reading debate on Bill 91, An Act respecting Labour Relations in the Agricultural Industry.

The Speaker (Hon David Warner): It being 6 of the clock, this House stands adjourned until 1:30 of the clock Monday next.

The House adjourned at 1803.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD
Speaker/Président: Hon/L'hon David Warner
Clerk/Greffier: Claude L. DesRosiers
Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux: Alex D. McFedries
Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités: Deborah Deller
Sergeant at Arms/Sergent d'armes: Thomas Stelling

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma	Wildman, Hon/L'hon Bud (ND) Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Énergie, ministre délégué aux Affaires autochtones	Grey-Owen Sound	Murdoch, Bill (PC)
Algoma-Manitoulin	Brown, Michael A. (L)	Guelph	Fletcher, Derek (ND)
Beaches-Woodbine	Lankin, Hon/L'hon Frances (ND) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce	Halton Centre/-Centre	Sullivan, Barbara (L)
Brampton North/-Nord	McClelland, Carman (L)	Halton North/-Nord	Duignan, Noel (ND)
Brampton South/-Sud	Callahan, Robert V. (L)	Hamilton Centre/-Centre	Christopherson, Hon/L'hon David (ND) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Brant-Haldimand	Eddy, Ron (L)	Hamilton East/-Est	Mackenzie, Hon/L'hon Bob (ND) Minister of Labour / ministre du Travail
Brantford	Ward, Hon/L'hon Brad (ND) Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances	Hamilton Mountain	Charlton, Hon/L'hon Brian A. (ND) Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et ministre délégué à l'Assurance-automobile
Bruce	Elston, Murray J. (L)	Hamilton West/-Ouest	Allen, Hon/L'hon Richard (ND) Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce
Burlington South/-Sud	Jackson, Cameron (PC)	Hastings-Peterborough	Buchanan, Hon/L'hon Elmer (ND) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Cambridge	Farnan, Hon/L'hon Mike (ND) Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation	High Park-Swansea	Ziemba, Hon/L'hon Elaine (ND) Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Carleton	Sterling, Norman W. (PC)	Huron	Klopp, Paul (ND)
Carleton East/-Est	Morin, Gilles E. (L)	Kenora	Miclash, Frank (L)
Chatham-Kent	Hope, Randy R. (ND)	Kingston and The Islands / Kingston et Les Îles	Wilson, Gary (ND)
Cochrane North/-Nord	Wood, Len (ND)	Kitchener	Ferguson, Will (Ind)
Cochrane South/-Sud	Bisson, Gilles (ND)	Kitchener-Wilmot	Cooper, Mike (ND)
Cornwall	Cleary, John C. (L)	Lake Nipigon/Lac-Nipigon	Pouliot, Hon/L'hon Gilles (ND) Minister of Transportation, minister responsible for francophone affairs / ministre des Transports, ministre délégué aux Affaires francophones
Don Mills	Johnson, David (PC)	Lambton	MacKinnon, Ellen (ND)
Dovercourt	Silipo, Hon/L'hon Tony (ND) Minister of Community and Social Services / ministre des Services sociaux et communautaires	Lanark-Renfrew	Jordan, Leo (PC)
Downsview	Perruzza, Anthony (ND)	Lawrence	Cordiano, Joseph (L)
Dufferin-Peel	Tilson, David (PC)	Leeds-Grenville	Runciman, Robert W. (PC)
Durham Centre/-Centre	White, Drummond (ND)	Lincoln	Hansen, Ron (ND)
Durham East/-Est	Mills, Gordon (ND)	London Centre/-Centre	Boyd, Hon/L'hon Marion (ND) Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
Durham West/-Ouest	Wiseman, Jim (ND)	London North/-Nord	Cunningham, Dianne (PC)
Durham-York	O'Connor, Larry (ND)	London South/-Sud	Winninger, David (ND)
Eglinton	Poole, Dianne (L)	Markham	Cousens, W. Donald (PC)
Elgin	North, Peter (Ind)	Middlesex	Mathysen, Irene (ND)
Essex-Kent	Hayes, Pat (ND)	Mississauga East/-Est	Sola, John (Ind)
Essex South/-Sud	Crozier, Bruce (L)	Mississauga North/-Nord	Offer, Steven (L)
Etobicoke-Humber	Henderson, D. James (L)	Mississauga South/-Sud	Marland, Margaret (PC)
Etobicoke-Lakeshore	Grier, Hon/L'hon Ruth (ND) Minister of Health / ministre de la Santé		
Etobicoke-Rexdale	Philip, Hon/L'hon Ed (ND) Minister of Municipal Affairs, minister responsible for the office for the greater Toronto area / ministre des Affaires municipales, ministre responsable du Bureau de la région du grand Toronto		
Etobicoke West/-Ouest	Stockwell, Chris (PC)		
Fort William	McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition		
Fort York	Marchese, Rosario (ND)		
Frontenac-Addington	Wilson, Hon/L'hon Fred (ND) Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga West/Ouest	Mahoney, Steven W. (L)	St Andrew-St Patrick	Akande, Zanana L. (ND)
Muskoka-Georgian Bay	Waters, Daniel (ND)	St Catharines	Bradley, James J. (L)
Nepean	Daigeler, Hans (L)	St Catharines-Brock	Haack, Christel (ND)
Niagara Falls	Harrington, Margaret H. (ND)	St George-St David	Murphy, Tim (L)
Niagara South-Sud	Coppen, Hon/L'hon Shirley (ND) Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs	Samia	Huget, Bob (ND)
		Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony (ND)
Nickel Belt	Laughren, Hon/L'hon Floyd (ND) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Scarborough-Agincourt	Phillips, Gerry (L)
		Scarborough Centre/-Centre	Owens, Stephen (ND)
Nipissing	Harris, Michael D. (PC)	Scarborough East/-Est	Frankford, Robert (ND)
Norfolk	Jamison, Norm (ND)	Scarborough-Ellesmere	Warner, Hon/L'hon David (ND) Speaker / Président
Northumberland	Fawcett, Joan M. (L)		Curling, Alvin (L)
Oakville South/-Sud	Carr, Gary (PC)	Scarborough North/-Nord	Swarbrick, Hon/L'hon Anne (ND) Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Oakwood	Rizzo, Tony (ND)	Scarborough West/-Ouest	Wessinger, Paul (ND)
Oriole	Caplan, Elinor (L)		McLean, Allan K. (PC)
Oshawa	Pilkey, Hon/L'hon Allan (ND) Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales	Simcoe Centre/-Centre	Wilson, Jim (PC)
		Simcoe East/-Est	Murdock, Sharon (ND)
		Simcoe West/-Ouest	Martel, Hon/L'hon Shelley (ND) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Ottawa Centre/-Centre	Gigantes, Hon/L'hon Evelyn (ND) Minister of Housing / ministre du Logement	Sudbury	
	Grandmaître, Bernard (L)	Sudbury East/-Est	
Ottawa East/-Est	O'Neill, Yvonne (L)		
Ottawa-Rideau	McGuinty, Dalton (L)	Timiskaming	Ramsay, David (L)
Ottawa South/-Sud	Chiarelli, Robert (L)	Victoria-Haliburton	Hodgson, Chris (PC)
Ottawa West/-Ouest	Sutherland, Kimble (ND)	Waterloo North/-Nord	Witmer, Elizabeth (PC)
Oxford	Ruprecht, Tony (L)	Welland-Thorold	Kormos, Peter (ND)
Parkdale	Eves, Ernie L. (PC)	Wellington	Arnott, Ted (PC)
Parry Sound	Haslam, Karen (ND)	Wentworth East/-Est	Morrow, Mark (ND)
Perth	Carter, Jenny (ND)	Wentworth North/-Nord	Abel, Donald (ND)
Peterborough		Willowdale	Harnick, Charles (PC)
Port Arthur	Wark-Martyn, Hon/L'hon Shelley (ND) Minister without Portfolio, Ministry of Health / ministre sans portefeuille, ministère de la Santé	Wilson Heights	Kwinter, Monte (L)
	Poirier, Jean (L)	Windsor-Riverside	Cooke, Hon/L'hon David S. (ND) Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main-d'œuvre
Prescott and Russell / Prescott et Russell			Dadam, George (ND)
Prince Edward-Lennox-South Hastings/Prince Edward-Lennox-Hastings-Sud	Johnson, Paul R. (ND)		Lessard, Wayne (ND)
Quinte	O'Neil, Hugh (L)	Windsor-Sandwich	Sorbara, Gregory S. (L)
Rainy River	Hampton, Hon/L'hon Howard (ND) Minister of Natural Resources / ministre des Richesses naturelles	Windsor-Walkerville	Malkowski, Gary (ND)
		York Centre/-Centre	Turnbull, David (PC)
Renfrew North/-Nord	Conway, Sean G. (L)	York East/-Est	Beer, Charles (L)
Riverdale	Churley, Hon/L'hon Marilyn (ND) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	York Mills	Rae, Hon/L'hon Bob (ND) Premier, President of the Executive Council, Minister of Inter-governmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Noble (PC)	York Mackenzie	
		York South/-Sud	Mammoliti, George (ND)
		Yorkview	

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉ PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

Administration of justice/Administration de la justice

Chair/Président: Rosario Marchese
Vice-Chair/Vice-Présidente: Margaret H. Harrington
Zanana L. Akande, Gilles Bisson, Robert Chiarelli,
Alvin Curling, Christel Haec, Charles Harnick,
Gary Malkowski, Tim Murphy, David Tilson,
David Winninger
Clerk/Greffière: Donna Bryce

Estimates/Budgets des dépenses

Chair/Président: Cameron Jackson
Vice-Chair/Vice-Président: Ted Arnott
Donald Abel, Gary Carr, Noel Duignan, Murray J. Elston,
Derek Fletcher, Pat Hayes, Wayne Lessard,
Steven W. Mahoney, David Ramsay, Jim Wiseman
Clerk/Greffière: Tonia Grannum

Finance and economic affairs/

Finances et affaires économiques

Chair/Président: Paul R. Johnson
Vice-Chair/Vice-Président: Jim Wiseman
Elinor Caplan, Gary Carr, W. Donald Cousens,
Karen Haslam, Norm Jamison, Monte Kwinter,
Wayne Lessard, Irene Mathysen, Gerry Phillips,
Kimble Sutherland
Clerk/Greffière: Lynn Mellor

General government/Affaires gouvernementales

Chair/Président: Michael A. Brown
Vice-Chair/Vice-Président: Hans Daigeler
Ted Arnott, George Dadamo, Bernard Grandmaître,
David Johnson, George Mammoliti, Gordon Mills,
Mark Morrow, Gregory S. Sorbara, Paul Wessenger,
Drummond White
Clerk/Greffier: Franco Carrozza

Government agencies/Organismes gouvernementaux

Chair/Présidente: Margaret Marland
Vice-Chair/Vice-Président: Allan K. McLean
James J. Bradley, Jenny Carter, John C. Cleary,
Alvin Curling, Robert Frankford, Margaret H. Harrington,
Gary Malkowski, George Mammoliti, Daniel Waters,
Elizabeth Witmer
Clerk/Greffière: Lynn Mellor

Legislative Assembly/Assemblée législative

Chair/Président: Ron Hansen
Vice-Chair/Vice-Président: Paul Wessenger
George Dadamo, Paul R. Johnson, Ellen MacKinnon,
Irene Mathysen, Carman McClelland, Gilles E. Morin,
Norman W. Sterling, Barbara Sullivan, Kimble Sutherland,
Noble Villeneuve
Clerk/Greffière: Lisa Freedman

Ombudsman

Chair/Président: Tony Rizzo
Vice-Chair/Vice-Président: Gary Wilson
Donald Abel, Zanana L. Akande, Mike Cooper,
Karen Haslam, D. James Henderson, Tony Martin,
Frank Miclash, Bill Murdoch, David Ramsay,
Chris Stockwell
Clerk/Greffier: Todd Decker

Public accounts/Comptes publics

Chair/Président: Joseph Cordiano
Vice-Chair/Vice-Présidente: Dianne Poole
Gilles Bisson, Robert V. Callahan, Bruce Crozier,
Robert Frankford, Rosario Marchese, Margaret Marland,
Larry O'Connor, Stephen Owens, Anthony Perruzza,
David Tilson
Clerk/Greffier: Todd Decker

Regulations and private bills/

Règlements et projets de loi privés

Chair/Présidente: Christel Haec
Vice-Chair/Vice-Présidente: Ellen MacKinnon
Ron Eddy, Derek Fletcher, Ron Hansen, Pat Hayes,
David Johnson, Leo Jordan, Gordon Mills, Hugh O'Neil,
Anthony Perruzza, Tony Ruprecht
Clerk/Greffière: Tonia Grannum

Resources development/Développement des ressources

Chair/Président: Bob Huget
Vice-Chair/Vice-Président: Mike Cooper
Sean G. Conway, Joan M. Fawcett, Leo Jordan, Paul
Klopp, Sharon Murdock, Steven Offer, David Turnbull,
Daniel Waters, Gary Wilson, Len Wood
Clerk/Greffière: Tannis Manikel

Social development/Affaires sociales

Chair/Président: Charles Beer
Vice-Chair/Vice-Président: Ron Eddy
Jenny Carter, Dianne Cunningham, Randy R. Hope,
Tony Martin, Dalton McGuinty, Larry O'Connor,
Yvonne O'Neill, Stephen Owens, Tony Rizzo, Jim Wilson
Clerk/Greffier: Douglas Arnott

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

CONTENTS

Thursday 2 June 1994

PRIVATE MEMBERS'	
PUBLIC BUSINESS	
Race Tracks Tax Amendment Act, 1993, Bill 130, Mr Eves,	
second reading	
Mr Eves	6589, 6596
Mr Sutherland	6590
Mr Eddy	6591
Mr McLean	6591
Mr Duignan	6592
Mr Bradley	6593
Mr Hodgson	6594
Mr Winninger	6595
Negated	6605
Consumer protection, private member's notice of motion number 42, Mr Sola	
Mr Sola	6597, 6604
Mr Offer	6598
Mr McLean	6599
Mr Duignan	6600
Mr Callahan	6601
Mr Sterling	6602
Mr Huget	6603
Negated	6605

MEMBERS' STATEMENTS	
Katie-Lynn Brosseau	
Mr Brown	6605
Landfill	
Mr Tilson	6605
Italian National Day	
Mr Perruzza	6606
Anniversary of D-Day	
Mr Morin	6606
Mr Cousins	6606
Mr Mills	6606
Tory leader	
Mr Mahoney	6607
Senior citizens	
Mr Jackson	6607
Riding of Prince Edward-Lennox-South Hastings	
Mr Paul R. Johnson	6607

STATEMENTS BY THE MINISTRY AND RESPONSES	
Violence in schools	
Mr Cooke	6608
Mr Chiarelli	6609
Mrs Witmer	6610

Automobile insurance	
Mr Laughren	6608
Mr Elston	6609
Mr David Johnson	6610
Mr Turnbull	6610

ORAL QUESTIONS	
TVOntario headquarters	
Mrs McLeod	6610
Ms Swarbrick	6610
Young offenders	
Mrs McLeod	6611
Mrs Boyd	6611, 6614
Mr Harris	6613

Goods and services tax	
Mr David Johnson	6613
Mr Laughren	6613
Ministry of Environment and Energy spending	
Mr Offer	6614
Mr Wildman	6615

Charitable gaming	
Mr Eves	6615
Ms Churley	6616

Northern health travel grants	
Mr Bisson	6616
Mrs Grier	6616

Job creation	
Mr O'Neil	6617
Ms Lankin	6617

Native land claim	
Mr Harnick	6618
Mr Wildman	6618

Conflict-of-interest legislation	
Ms Harrington	6618
Mr Philip	6618

Municipal zoning bylaws	
Mr Grandmaitre	6619
Mr Philip	6619

PETITIONS	
Sexual orientation	
Ms Poole	6619
Mrs Marland	6620
Mr North	6620
Mr Marchese	6621
Mr Jordan	6622
Mr Henderson	6622

Tobacco packaging	
Mrs Haslam	6620
Mr Duignan	6621

Kettle Island bridge	
Mr Morin	6620
Firearms safety	
Mr McLean	6620
Mr Offer	6621
Ms Carter	6622
Mr North	6622
Education financing	
Mr Phillips	6621
Haemodialysis	
Mr Jim Wilson	6621
Wolf population	
Mr Wood	6622

FIRST READINGS	
Landlord and Tenant Amendment Act, 1994, Bill 172, Mr Cordiano	
Mr Cordiano	6623
Agreed to	6623

SECOND READINGS	
Equality Rights Statute Law Amendment Act, 1994, Bill 167, Mrs Boyd	
Ms Lankin	6623, 6625, 6632
Mr Callahan	6624, 6638
Mr Stockwell	6624
Mr Malkowski	6625, 6627, 6636, 6639
Mrs MacKinnon	6625
Mrs Fawcett	6626, 6628
Mr Marchese	6626, 6638
Mr Crozier	6627
Ms Haec	6627
Mr Cousins	6627, 6628, 6632
Mr Winninger	6631
Mr Murphy	6631
Mr Turnbull	6632
Mr Mammoliti	6633, 6637
Mr Huget	6636
Mr Sola	6636
Mrs Malthysen	6636
Mr Daigeler	6637, 6639
Ms Churley	6637
Mr Bisson	6638
Mrs Sullivan	6638
Debate adjourned	6642

OTHER BUSINESS	
Business of the House	
Mr Charlton	6642

TABLE DES MATIÈRES

Jeudi 2 juin 1994

AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS	
Loi de 1993 modifiant la Loi de la taxe sur le pari mutuel, projet de loi 130, M. Eves, deuxième lecture	6598
Rejetée	6605

PREMIÈRE LECTURE	
Loi de 1994 modifiant la Loi sur la location immobilière, projet de loi 172, M. Cordiano	6623
Adoptée	6623

DEUXIÈME LECTURE	
Loi de 1994 modifiant des lois en ce qui concerne les droits à l'égalité, projet de loi 167, M^{me} Boyd	6623
Débat adjourné	6642

No. 138



N° 138

ISSN 1180-2987

**Legislative Assembly
of Ontario**

Third Session, 35th Parliament

**Assemblée législative
de l'Ontario**

Troisième session, 35^e législature

**Official Report
of Debates
(Hansard)**

Monday 6 June 1994

**Journal
des débats
(Hansard)**

Lundi 6 juin 1994

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



50th anniversary

1944–1994

50^e anniversaire

Hansard is 50

Hansard reporting of complete sessions of the Legislative Assembly of Ontario began on 23 February 1944 with the 21st Parliament. A commemorative display may be viewed on the main floor of the Legislative Building.

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats a 50 ans

Le reportage des sessions intégrales de l'Assemblée législative de l'Ontario, fait par le Journal des débats, a commencé le 23 février 1944 avec la 21^e législature. Une exposition pour marquer cet événement est étalée au premier étage de l'Édifice du Parlement.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.

Hansard Reporting Service, Legislative Building,
Toronto, Ontario, M7A 1A2

Telephone 416-325-7400; fax 416-325-7430

Published by the Legislative Assembly of Ontario



Service du Journal des débats, Édifice du Parlement,
Toronto, Ontario, M7A 1A2

Téléphone, 416-325-7400 ; télécopieur, 416-325-7430

Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 6 June 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 6 juin 1994

The House met at 1333.

Prayers.

MEMBERS' STATEMENTS MOTORCYCLE INSURANCE

Mr Hans Daigeler (Nepean): Yesterday more than a thousand motorcycle riders protested outside this Legislature against Bill 164 and its nefarious impact on insurance coverage for motorcycle fans. Although NDP members are trying to blame the insurance industry for its withdrawal of services, it's clear that industry costs rose dramatically under the government's new insurance law. No wonder, then, that most companies have simply withdrawn from the motorcycle market.

On behalf of my party, I recently wrote to the Ontario Insurance Commission about this issue. On May 19 I received an encouraging reply from the commissioner, Mr Blair Tully. He says that his agency is actively working to persuade more insurers to provide motorcycle coverage. He adds, "Our efforts are showing some success and we expect some expansion in the market."

I call on the government to recognize the disastrous impact of Bill 164 on motorcycle insurance and to work with the Ontario Insurance Commission for a speedy solution to this difficult but important problem.

ANNIVERSARY OF D-DAY

Mr Leo Jordan (Lanark-Renfrew): On this the 50th anniversary of the D-Day invasion, I would like to acknowledge the crucial sacrifices which were made in the fight for our freedom.

Yesterday I had the honour of joining with members of the Perth-upon-Tay Branch 244 of the Royal Canadian Legion in a service dedicated to the brave Canadian soldiers who fought and fell during the D-Day invasion. Legions from across Lanark congregated in Stewart Park in the county town of Perth to participate in the drum-head memorial service.

Special appreciation should be extended to Eric Devlin and all the organizers of this service for orchestrating a commemorative event that will stand out in the minds of all who attended for many years to come.

One aspect of the service that stands out in my mind is the great number of young people who participated in this ceremony. It is comforting to know that after 50 years young Canadians still relate directly to the tremendous sacrifices that were made by previous generations to secure democracy and the way of life we now enjoy.

Indeed, all Canadians, young and old, should take time to recognize that on this day 50 years ago brave Canadian soldiers, as stated in the Smiths Falls Record News, "gave their tomorrow so that we could have our today."

PORTUGAL NATIONAL DAY

Mr Rosario Marchese (Fort York): This Friday is

Portugal Day. June 10th marks the Portuguese National Day as well as Portugal's greatest national poet, Luís de Camões.

I want to take this opportunity to acknowledge the political, social, cultural and economic contribution that the Portuguese community continues to make to Canadian society.

This government recently granted \$1 million to reconstruct the First Portuguese Canadian Cultural and Community Centre. This community building is the centre for important social, cultural and recreational activities. We are proud that we've been able to pursue our job creation program Jobs Ontario in a way that enhances our social infrastructure.

For the past year and a half I've had the pleasure of working with the Portuguese university students, helping them to organize the Federation of Portuguese Canadian Student Associations. Several students are here today, and I would like to recognize them by name: Tony Dias of the University of Toronto, Ricardo Nero of York University and Christine Ferreira of the University of Toronto.

Their enthusiasm, commitment and energy are a model for all of us. Their efforts are bringing their cultural capital back into the community at large.

Securing funds for the First Portuguese Canadian Cultural and Community Centre and forming the Federation of Portuguese Canadian Student Associations helps to preserve Canadian Portuguese culture for generations to come.

VIOLENCE

Ms Dianne Poole (Eglinton): I was pleased to read this weekend that serial killer trading cards will no longer be available for sale. The California company which produces these cards has discontinued their production. According to the publisher of the company, the market is saturated and people aren't buying serial killer trading cards.

I am encouraged that the public has rejected these cards as worthwhile items to own. However, I am concerned that the only reason serial killer cards will not be available is because there currently is no market for them. I'm disappointed that the government has not acted to ensure that these cards will not be available for sale in the future.

Why? Because the Minister of Consumer and Commercial Relations has failed to restrict the sale of these cards. Last July I introduced a private member's bill to ban the sale of serial killer cards to children. I did so because I was concerned about the message they sent to our children: that serial killers are worthy of hero status.

I believe it is important that we teach our children that violence is not acceptable and not worthy of glorification.

Unfortunately, this Legislature has missed an opportunity to make this very important point. Instead we have let the marketplace dictate our values. This time we were lucky; next time, because there is no legislation to protect our children, we may not be.

1340

AFRICAN EPISCOPAL METHODIST CHURCH

Mr Allan K. McLean (Simcoe East): On June 12 the African Episcopal Methodist Church in the township of Oro-Medonte will echo with the sound of voices raised in prayer and song.

This tiny, one-room church, located at the corner of the Third Line of Oro and County Road 11, was built in 1847 by black Americans who settled in the Oro area to escape the shackles of slavery during the US Civil War. It's all that remains of one of the earliest all-black refugee settlements in Ontario.

Between 1830 and 1850 about 24 black families fled from slavery in the United States. Census records indicate a black population of 97 in 1831 and that number grew to 101 by 1860, a year before the start of the Civil War. Sadly, none of the descendants of the original black settlers now live in the area.

Henry Neufeld of the Oro-Medonte township history committee is representative of many people who deserve our thanks for keeping the memory of these early settlers alive. The simple, one-room church is a monument to those early settlers, black and white, who lived in peace and harmony during a most important period in the development of Ontario.

The special service is scheduled to get under way at 2:30 on June 12 and the event is expected to attract prominent members of the Toronto black community as well as some descendants of the original settlers. Come and raise your voice in song and prayer to commemorate one of the earliest all-black refugee settlements in Ontario.

Mr Speaker, I had the opportunity to play baseball with one of the black members of that family.

INNOVATIVE MANAGEMENT AWARD

Ms Sharon Murdock (Sudbury): I am pleased to take this opportunity today to inform the members of the Legislature and of the public that the registration division of the Ministry of Consumer and Commercial Relations has received the 1994 gold award for innovative management from the Institute of Public Administration of Canada, or IPAC.

The IPAC awards program, which is sponsored by Coopers and Lybrand Canada, received entries from 113 contestants. This prestigious national award has been presented to the division for its management of the northern relocation project. Innovative management has resulted in structural layering and the effective implementation of new technology.

Furthermore, the division has been successful in offering some new positions to people in the employment equity target groups, one of the main reasons why it won the award: aboriginals, people with disabilities, sole-support parents, persons who are blind or deaf, visible minorities and francophones.

Staff now have a more meaningful assignment in a workplace that reflects a true learning environment. They advance through a system of generic positions with duties that change every six months on a rotating basis.

As a northern member of this House, I would like to congratulate the staff of the Ministry of Consumer and Commercial Relations who continue to demonstrate that their ministry is a leading innovator in management techniques.

PROGRESSIVE CONSERVATIVE PARTY

Mr Steven W. Mahoney (Mississauga West): Mr Speaker, as you know, there's a revolution taking place inside Team Harris and the infighting has claimed its first casualty. Much to the dismay of the member for Parry Sound and others, the Tories' chief fund-raiser, Stewart Eagles, resigned in protest at the heavy-handed, dictatorial control exercised by Mike Harris.

Mike Harris's handpicked bagman has found it necessary to quit just months before a possible election. Why would he do this when things are supposedly going so well in the Progressive Conservative Party? Could it be that he's a man of integrity who cannot endorse a platform that simply doesn't add up and can't be implemented? Could it be that like Bill Davis, Andy Brandt, Larry Grossman and others, Mr Eagles wanted to disassociate himself from Mr Harris's right-wing policies? Or could it be that the newspapers are correct, that the \$600,000 American Revolution was the straw that broke the camel's back?

You will remember, Mr Speaker, that the planning of this revolution was so secret that no one in the Conservative caucus knew. In fact, only a couple of Tories and one Republican were aware of it. How could one blame the chief fund-raiser for being upset with the way things have been handled?

Now that the Conservative Party infighting has claimed its first casualty, there's no wonder why they have stopped calling themselves Team Harris. Clearly, to me, the Eagle has definitely landed.

ANNIVERSARY OF D-DAY

Mrs Margaret Marland (Mississauga South): Fifty years ago today, thousands of Allied servicemen began the assault on the beaches of Normandy that would liberate France from Nazi oppression. This landing was critical to ending the Second World War.

We look back with mixed feelings of pride and sorrow at the achievement of D-Day. Canada played a critical role in the landing, but the cost in human lives was high. I feel a particular bond to those who served in Normandy, because my husband, Ken, was one of them.

Mothers, wives, children and girlfriends also suffered tremendous loss so that the world could be free again. My father, a member of the Royal Navy, never returned from the war. In 1989 I revisited his gravesite with my three brothers and was profoundly moved by reading the ages of the young men who were buried alongside my father. Most of them were 18 to 22, almost children themselves.

Yesterday I was proud to parade side by side with the veterans of Branch 82 of the Royal Canadian Legion,

Port Credit, and members of Unit 262 of the Army, Navy and Air Force in Lakeview. It was a fine tribute to all veterans.

My prayer today is that all Canadians will remember the great sacrifice of these brave people by working to keep this wonderful country, Canada, undivided and free. We owe it to those who gave their lives for us. We are the children of their sacrifice. They have given us the legacy of freedom and democracy.

LAW ENFORCEMENT TORCH RUN

Mr Stephen Owens (Scarborough Centre): The Law Enforcement Torch Run is an international event held to benefit the Special Olympics. The torch run has become the largest grass-roots fund-raising event for the Special Olympics, involving over 75,000 law enforcement personnel worldwide.

The 1994 Law Enforcement Torch Run continued to carry the torch, which represents the flame of hope and the values of the Special Olympics: skill, sharing, courage and joy.

From May 21 to June 5, at the direction of the Ontario Association of Chiefs of Police, the eighth annual torch run saw law enforcement runners take up the torch as part of a cross-province relay which began in every corner of Ontario and continued through each day until its conclusion in Barrie. Over 8,000 kilometres were covered by 7,000 law enforcement personnel.

Personnel from your local law enforcement agency will be collecting donations on behalf of the Ontario Special Olympics. They are hoping to build on their 1993 total of \$750,000. All donations go to the Ontario Special Olympics for the expansion of its programs throughout the province.

I'd like to take a second to mention Senior Special Constable Gerry Dowd, who's stationed here at the precinct, for his diligence and commitment to the kids and the adults who will benefit from this fund-raising effort.

Mr Gordon Mills (Durham East): May I ask for unanimous consent to speak to D-Day?

The Speaker (Hon David Warner): Is there unanimous consent? Agreed.

1350

ANNIVERSARY OF D-DAY ANNIVERSAIRE DU DÉBARQUEMENT

Mr Gordon Mills (Durham East): Today we recognize the 50th anniversary of D-Day. June 6, 1944, was possibly the most momentous 24 hours of the 20th century: 24 hours in which the tide of war would be fought on the bloodstained beaches of Normandy.

The sheer scale of D-Day was beyond belief. Ten thousand aircraft took part, every one of them painted with stripes the night before for recognition. The planes, towing gliders and carrying paratroops, formed a nose-to-tail stream more than 100 miles long that morning.

Seven thousand vessels, from tiny midjet submarines to the mightiest of battleships, were to head for five tiny beaches. So crowded were the ports in the south of England that many of these ships were forced to set sail from as far afield as Scotland.

One hundred and fifty thousand soldiers, including 15,000 Canadians, set foot on French soil that day: 10,000 of them were killed, including 374 Canadians, others were missing and countless others were wounded.

On D-Day, for the first time in the war, all three elements of Canada's armed forces fought together. Of the 15,000 Canadian soldiers who stormed Juno Beach, one third were ferried into battle in Royal Canadian landing craft, while RCAF bombers and fighters flew overhead. Canada's conquest of the Scheldt estuary liberated the ports of Antwerp and Rotterdam and paved the way for the final Allied assault on Germany. It also cost Canada almost 13,000 soldiers dead.

D-Day has been called the longest day in history, and it's gained, rightfully, a place in history. On that longest day, some landings went well and some went dreadfully bad.

As I said before, 10,000 soldiers lost their life, but the beachheads were made—and held. Five beaches, five code names, Utah, Omaha, Gold, Juno and Sword, and the men who crossed those strips of shell-torn sand can never forget what they meant.

On the day following the invasion, the president of Oxford University, Sir Henry Tizzard, remarked:

"I feel rather like a patient coming round after a severe but successful operation. Deep down there is a feeling that all is well and that a great oppression has been lifted, but other feelings I have are not so pleasant."

Sir Henry was right in his assumptions. On June 15, just nine days after the invasion, a steady procession of V-1s, named by the British cabinet as flying bombs, came down on London and other parts of southern England at the rate of 100 a day. Before the launch sites at Pas de Calais were overrun by Allied soldiers on August 25 in their advance from the D-Day landings, some 7,825 V-1s and V-2s rained down on London and the south of England, killing 8,199 citizens; 22,000 more were badly injured and nearly 30,000 homes were destroyed in this last desperate attack upon English soil.

Across the channel, there are 13,000 graves of Canadian soldiers, and today we are paying sober tribute to their valour and to their sacrifice.

Over the years, we have all reassessed what happened and asked again, what was the result? On June 6, 1944, of course the simple, single limitation for invasion was to assist in the defeat of Hitler's Germany. There was no other agenda, no subtext, nothing hidden. It was perceived as a battle for democracy.

All survivors of the period, when pushed to remember, reflect on the closeness of comradeship, the absence of class conflict and the hope that a better future would be constructed from wartime cooperation.

Today, there is an inevitable national sadness when we remember D-Day. For me, the term for today of "celebration" seems somewhat out of place. Since that day in 1944, we have all come to understand that times such as this should not be seen as any celebration but a time to reflect upon the peace we all share in, brought about by the sacrifice of others.

Mr Gilles E. Morin (Carleton East): We commem-

orate today a vast military undertaking, Operation Overlord, otherwise known as D-Day, that began 50 years ago in the wee hours of the morning.

The object of this operation was the liberation of Europe from Hitler's Third Reich. In commemorating D-Day, we should remember the participation of Canadian troops in the war effort on many fronts. Canadian forces were involved in many battles, including the Normandy campaign, but what sets D-Day apart from the others is the sheer magnitude of the operation: the hundreds of thousands of troops, the mind-boggling logistics required to organize and wage such a crucial campaign. Let us not forget the cooperation required between Allied nations to carry out this monumental task. Collaboration was essential; it set the stage for a military effort that would slowly but surely lead to the triumph of the Allies. This triumph, as we know, exacted a terrible price.

Descriptions of the Battle of Normandy explain how painstakingly every inch of French territory was won, through fierce fighting and battles in the streets, and also through the bombing of French villages and the countryside. All of this was in the objective of gaining ground, ferreting out the enemy, establishing firmly the Allies' position on French soil.

In the original plan, the city of Caen was to be taken on D-Day itself, but stiff German resistance held off Canadian and British forces for a good month. This illustrates just how tough the Normandy campaign was and how tenacious, how courageous our soldiers were. They did not flinch before their task. We know today how difficult, how merciless that task was. We also know that some veterans still cannot evoke memories of the war without tears; how painful it is to remember friends and family fallen on the battlefields, to recall the horrors of war.

Accounts of the Battle of Normandy render so vividly the difficulties of the campaign. Even before the fighting started, soldiers en route to the coast were already sick, seasick. Then they had to wade out onto the beach, face enemy fire, witness the death and injury of colleagues, while also remembering their instructions. To make things worse, not all the soldiers landed where they expected to and thus had to improvise somewhat in order to accomplish their mission. One officer on a beach told his men, "Two kinds of people are staying on this beach: the dead and those who are going to die." The average lifespan in battle of a platoon commander was a matter of weeks.

By August 25, 1944, the Allies had liberated Paris. The Normandy campaign was over, but the war continued. In early 1945, Canadian troops participated in the Battle of the Rhineland. This gruelling effort lasted from February 8 to March 10 and cost the Canadian army 11,336 fatal casualties. About 237,000 Canadians, men and women, served in northwestern Europe.

In his book called *Battle Diary*, Charles Cromwell Martin, company sergeant-major, Able Company, from the Queen's Own Rifles Regiment, recounts the mission to take the city of Mooshof, where many officers and soldiers were killed in this particular exercise. To underscore the horror of it all, Mr Martin writes in his book, "This was just about the most frightening action of all—

knives flashing in the glow of flares, hand-to-hand fighting as artillery bursts lit up the sky, death everywhere."

This, in essence, was the experience of war for most Canadians on the front, a hands-on experience in the worst sense of the term; a horrifying, hellish, desperate task that defies our imagination. Yet our soldiers persisted. They went on in the midst of frightening chaos, deafening noise, personal agony and great fear.

1400

They accomplished their mission because they believed in their cause. Upon them, upon the Allied forces, rested the future of free and democratic societies. These soldiers did not need to be convinced of the righteousness of that cause. Tyranny, then and today, has no place in any society which values human dignity, liberty, freedom of expression and the principles of democracy.

To return to events earlier in the war, I would like to remind the House that Canadian troops were already fighting in Italy in 1943. They participated in the battle of Ortona, Casa Berardi, to name a few. Over 92,000 Canadians, soldiers of all ranks, served in Italy, and nearly 6,000 lost their lives. Many of these soldiers were redeployed in northwestern Europe in early 1945.

We're also familiar with the tragic outcome of the Dieppe raid earlier still, in August 1942: 4,963 Canadians took part in this raid; 907 died and 1,946 were taken prisoner.

There were countless other battles, as Canadians were involved in the war on so many fronts. These are some of the regiments that joined the war effort: the Queen's Own Rifles, the Royal Winnipeg Rifles, le Régiment de la Chaudière, the Canadian Black Watch, the Governor General's Foot Guards, les Fusiliers Mont-Royal, the Stormont, Dundas and Glengarry Highlanders, the Highland Light Infantry, the Royal Regina Rifle Regiment, and my own regiment, le Royal 22^e Régiment.

I know that I've left out regiments and so many individuals. I wish I could stand here and recite, one by one, the names of the courageous men and women who took such enormous risks and made such great sacrifices in order that they and we remain free from oppression.

May I remind you of the women who served as nurses. Hundreds of nurses participated in the Normandy campaign with the Canadian army. Jean Bruce, author of *Back the Attack*, wrote that at war's end, "Canada's 4,480 nursing sisters had cared for more than 60,000 wounded Canadians, numerous Allied servicemen and many enemy casualties."

There were the Royal Canadian Engineers, who had the most unpleasant task of mine clearing: searching for and defusing mines.

Countless untold stories, unsung heroes: I know I have left out many whose contribution is equally deserving of recognition.

Tant d'individus se sont distingués pendant la guerre, et bien souvent malgré eux. Personne ne cherchait à jouer le héros. Il y avait déjà suffisamment à faire.

Permettez-moi de vous citer encore un exemple. Le 1^{er} août 1944, le major Jacques Dextraze dirigeait sa compa-

gnie dans la ville de St-Martin-de-Fontenay. Objectif : saisir une église. Sous le feu continu de l'ennemi et devant l'hésitation de ses propres soldats, le major traversa tranquillement la rue et se plaça près du mur dans la cour de l'église, s'exposant complètement au feu de l'ennemi. Suivant son exemple, ses troupes le suivirent et réussirent leur mission.

It is interesting to note that a good half of the members of this House were not even born in 1945. To any Canadians who have learned about the Second World War through history books, the war is a more or less distant event, but to the many veterans in attendance today and all over Canada, the war is a part of their lives. They live with the memories, the smells and the emotions of the war in a way we can only imagine.

Veterans embody the notions of duty and responsibility in a manner that is not often seen today. They represent a time when certain values had a strong meaning and could incite a young man or woman to volunteer for the cause, for the common good. They were prepared to give their lives, and so many did, so that others might live free from oppression. This, to me, is perhaps the ultimate act of generosity, of selflessness.

I ask all Ontarians today, all Canadians, to remember this sacrifice. Remember the inhumanity of the conflict, remember the courage of soldiers and civilians, thousands of small lights in the darkness of the war. Remember those lights and hold them in your hearts.

Mr W. Donald Cousens (Markham): On behalf of our leader, Mr Harris, and our whole PC caucus, I'd first of all like to thank Mr Gordon Mills, the member for Durham East, and M. Gilles Morin, the member for Carleton East, for the way in which all caucuses have worked together to help remember D-Day. It does show how we can drop party lines and do the right thing.

There is no glory in war. To the contrary, the pain and suffering on both sides in the Second World War was horrendous. Could Hitler be allowed to dominate Europe, to threaten and destroy freedom, to bomb, burn and bury civilization? Canadians had no choice but to react with conviction to do what was right, to react with courage to fight against greater odds. All of Canada became committed to the war totally. Principles were important at that time, and nothing could have been more urgent.

The preparations were immense. Hitler already had a head start. From 1933, he had been chancellor and dictator of Germany, building his massive war machine for his thousand-year Reich. Finally, on September 10, 1939, Canada declared war on Germany. We had to begin almost from scratch, recruiting men and women, building armaments, the guns and rifles and planes and vessels, putting together all the materials and the training and the planning and the building.

Every family was touched. My father was a padre at home for the Brockville Rifles. My eldest brother was in training with the Brockville Officers Training Centre. The pain of separation was very real to just about every household: saying goodbye to father and brothers and sisters, the farewell kiss of sweethearts followed by years away from home, and then the many who would never return.

Today we remember one of the most significant days in the Second World War, when the combined Allied forces established a beachhead on the shores of France. Today we remember the gallant and the brave, the naval forces carrying soldiers into battle, the air support and the paratroopers, support of all kinds, and especially those valiant front-line forces. The only way they could ever come home now was to go forward into battle, take their chance, clear a way, and then, God willing, succeed. Today we remember the Canadians who made it happen on June 6, 1944.

The communiqué of the day read, "General Eisenhower announces that British, Canadian and American troops have effected a landing on the coast of France."

In the air 48 RCAF squadrons took part. Every province was represented on the land, in the air and afloat. Juno Beach, Caen and Normandy will be etched in the memory of Canadians for ever.

1410

Over 1,086,000 Canadian men and women served in Canada's army, navy and air force in World War II. Over 42,000 Canadians lost their lives fighting for freedom. Over 55,000 Canadians were wounded.

But the beachhead was necessary. Operation Overlord was essential to gain a foothold in Europe. All this would lead to the victory of Europe on May 8, 1945, and the surrender of Germany.

Today we pay tribute to the courage and sacrifice of men and women who valiantly defended our freedoms. Today we think back on the efforts by those on the home front, the men and the women and the children who all pitched in to support our servicemen and women overseas.

Canada remembers.

Canada remembers our veterans who came home with memories of things we would never imagine, of physical and psychological hurts that would never disappear.

Canada remembers our armed forces of today and the continuing support that we as Canadians give for international peacekeeping efforts.

Canada remembers our wartime friends and the special relationships with the British and Americans, Dutch, French, Belgians, Polish, Norwegians and others.

Canada remembers our own local legions that support our veterans, who back up each other and help keep the memory alive.

Canada does remember. We must never forget the sacrifice that has been made for us today. Thank you, veterans, here in the Legislature and wherever you are, for your sacrifice. We will not forget.

STATEMENTS BY THE MINISTRY AND RESPONSES

LONG-TERM CARE

SOINS DE LONGUE DURÉE

Hon Ruth Grier (Minister of Health): Today I will be introducing long-term care community services legislation. The Long-Term Care Act delivers on our government's commitment to improve and expand long-term care and support services. This legislation enables us

to create a coordinated and integrated system from the current patchwork of community services spread unevenly across the province.

The new long-term care system will put the needs and preferences of consumers and their families first. The legislation supports our government's central goal: helping seniors and the physically disabled live in the familiar comfort of their homes and other community settings. These changes put the proper emphasis on rehabilitation, disease prevention and health promotion. They will create a consumer-friendly system that reduces our dependence on institutional care.

For more than 10 years governments have talked about changing the long-term care system. This government has acted. We are getting on with the job of meeting the needs of Ontarians who want care in their homes and in their communities. In 1991-92 we spent \$706 million in community-based long-term care services. When reform is fully implemented during 1996-97 we will spend more than \$1 billion.

Health care is vital to the high quality of life we have in this province. We are committed to protecting our health care system, and as part of this we have made community-based health care a priority. In long-term care we have shown this time and time again. For example, we've expanded services such as the integrated homemaker program, quick-response teams and palliative care.

It is particularly fitting to be making this announcement during Seniors' Month. So much of what we are doing in long-term care will improve the quality of life of our seniors as well as people with disabilities.

The legislation sets out the mandate of multiservice agencies. Multiservice agencies will be the cornerstone of the new system in each community. The agencies will simplify and coordinate access to long-term care services. The legislation creates the framework that will enable communities to integrate health and social in-home and community services. It enables us to build on the strengths of Ontario's voluntary services.

Services such as nursing, personal care, homemaking and home support will be integrated and offered under uniform eligibility and service rules. They will be flexible and provided in a way that is responsive to the individual needs and preferences of consumers to enable them to remain in their homes and communities.

No longer will consumers have to make several calls to several different programs before getting appropriate service. They will be able to make one call to their local multiservice agency, or MSA, for professional health services or for help with personal care, housekeeping, meal services or respite for family care givers.

MSAs mean easier access for consumers, integration of case management and service delivery, increased non-profit provision of services and more consumer control. They will be sensitive to the needs of ethnocultural communities.

Je m'engage à ce que les organisations de services polyvalents situées dans les régions désignées en vertu de la Loi sur les services en français offrent des services dans cette langue, et je ferai en sorte que les organisa-

tions de services polyvalents concernées soient désignées en vertu de cette Loi.

Local communities are actively involved in developing MSAs. The job of planning MSAs was given to district health councils. This legislation confirms the role of DHCs in planning for health services in general.

Under the Long-Term Care Act, consumers will receive new safeguards. The act establishes a bill of rights and an appeals process for consumers receiving services under the new legislation. The rights will be comparable to those available to residents in long-term care facilities. In the current system, there are no consistent guidelines or rules that tell consumers of community-based services what they can expect from service providers, nor do service providers have consistent rules on how they are expected to treat consumers.

This legislation, together with the expansion, improvement and integration of community-based services, is fundamental to effective and efficient long-term care. We can change and are changing our overreliance on institutional care. Together with our partners, we are building a long-term care system to serve us for decades to come.

In the gallery today are representatives of groups that have worked for a long time to see this day come. I thank them for their efforts and for their support. We are well on the way to realizing their vision.

I know I can count on the support of honourable members for this important legislation.

Mrs Barbara Sullivan (Halton Centre): As you know, governments for a period of several years have been turning their minds to reform of the long-term care system in Ontario and have been looking for an improvement to a system to ensure that there will be guaranteed access to appropriate services, that those services will be provided equitably and that those services will be provided with a high quality. We had anticipated that this piece of legislation would be before us some time ago. In fact, we had anticipated that this legislation would be in quite a different form than what the minister has announced in the House today and to the media.

Naturally, we won't be able to see that until the legislation is printed, but our understanding from the announcements that were made a year ago was that the second phase of legislation was expected to result "in the repeal of several existing statutes and regulations and in the creation of a new framework encompassing both facility- and community-based long-term care services." That quote came from the implementation framework which was issued last year at about this time.

1420

Since that statement was issued—and why we had expected to see something a little different—we've had Bill 101, which brought an equivalent approach to funding of long-term care facilities, the nursing homes and homes for the aged, and we have seen some problems with the implementation of that bill. The legislation was to ensure that accommodation, levels of health and personal care requirements, nursing requirements and quality of life were provided on an equitable basis through the province.

Clearly, one of the things that was not anticipated by the ministry in advance was the deep level of problem with respect to the carriage of mortgage financing in the nursing home sector. As a consequence, the ministry had to change that funding approach halfway through the year, having done so with a mechanism that was appropriate perhaps for nursing homes, although it went back to the old system, but clearly inappropriate for homes for the aged, which are now having an extraordinarily difficult time trying to deal with a funding mechanism that they had never been used to in the past and had no experience in. Those problems from that sector are still very much on the table.

The reason I refer to that is that when Bill 101 was put into place, the first phase of the long-term care reform, there had not been the pilots done, there had not been the testing done of the system that ought to have been put into place. I believe and I am deeply concerned that we are going to have the same problem as the multiservice agencies come on stream.

Throughout the development and implementation phases of the MSAs, we have seen guidelines and directives and information flows from the ministry which are confusing and conflicting, create different directions and provide different guidelines to people in various communities. There has been no test of the validity of the one model that the government is allowing, which may or may not be appropriate for every community. In fact, from what we're hearing, it may seem not to be appropriate for most communities.

Many communities are deeply concerned about this particular model. They are deeply concerned about the way the MSA may well cut into the volunteer agencies and the role of the voluntary individuals of the volunteer organizations who have provided about 30% of the operating funding of our home care agencies and community agencies and an enormous portion of direct service delivery to long-term care patients.

If one thinks of some of those organizations, one can understand the intense involvement of volunteers. I give you CNIB, VON, the Cancer Society, Alzheimer associations, the multiple sclerosis association, which are dealing with people who are in the very specific target group that the minister is dealing with. Those volunteer patient services, and indeed the volunteer fund-raising services, may well be lost to our system.

We are going to be pursuing this over the next period of time. I am concerned that the promise is far greater than the probability of success here, and I wish that the minister had, before undertaking a specific flow, undertaken some tests in that flow.

Mr Jim Wilson (Simcoe West): I'm pleased to spend a couple of minutes in responding to the Minister of Health's announcement or, in many ways, reannouncement concerning long-term care reform in this province.

It struck me, as the previous member from the Liberal Party was speaking, that that government, when in office, spent some three years trying to deal with the question of multiservice agencies, MSAs, and now in the fourth year of the NDP government we see the minister coming forward with some legislation that I've not had the

opportunity to read because she's just tabling it, but I expect that it will not, in any significant way, make the tough decisions that have to be made out there if the province is truly to move towards an MSA model.

As I've travelled across the province since the first phase of long-term care was introduced several months ago in this Legislature, I have found that it's really a dog's breakfast out there with respect to many of the multiservice agencies. To date, between two governments, we have no multiservice agencies up and running. We have a great deal of confusion in the long-term care sector, particularly with respect to by whom and how the community-based services are going to be delivered in the future.

We have a great concern in my party about the future role of volunteers. I know that in the county of Simcoe, which I partly represent along with three other MPPs, it's been pointed out to us that it may be very difficult to attract volunteers who normally work for the Red Cross or VON etc, if they're to be attracted to this new bureaucracy called "the multiservice agency."

We have continued concerns with respect to the government wanting to drive the private sector out of the delivery of community-based services and home care services in this province. We believe the government, through its ideology, is really limiting consumer choice, and we ask the government, during the committee hearings that will proceed with this legislation, to review that question and to hear directly from consumers.

Again, we're very concerned that a new level of bureaucracy is being created, given that the government has not really taken the tough decisions to enable MSAs to come in. If there are going to be savings in the system to fund these MSAs, then something's going to have to give at the community level, and the government has not identified that.

There's only one thing we know for sure: The last two governments have closed 6,000 hospital beds, all in the name of moving towards community-based services, and we've not seen a significant increase in those services in our communities. So we'll be continuing to pressure the government to put its money where its mouth is. The Common Sense Revolution seals the health care envelope and says, "Any money saved on the institutional side will go into the community-based side." That's our commitment. It's our commitment to the consumers and patients in this province.

Mr Cameron Jackson (Burlington South): As the seniors' advocate for the PC party, I wish to comment as well. I know the minister has not mentioned in her statement today that on Friday she, or her staff, met with all the district health councils and she shared some of today's announcement with them, but there's some of today's information she didn't share with them.

I have been able to determine that when she wrote her letter on May 17 about transitional strategies to change the direction that multiservice agencies are going, there were at least six communities under active consideration to bring in quick MSAs by the end of the year.

Minister, I can only say to you that we want you to

proceed expeditiously with this program, but by the same token be very careful. Sudbury, which I understand is on the list, may be able to reach consensus very quickly. But we understand that your ministry's seriously looking at an application from Georgetown and Halton region. There are five separate communities in Halton region, and by you giving seed money to Georgetown to be up and running early, you're defining the balance of the service delivery model in Halton region for the future. So I ask you to be careful as you proceed with that.

I notice concerns being raised about the volunteer sector. Today people are volunteering for Meals on Wheels and the Red Cross but tomorrow under the MSAs some have said, "Well, we'll be volunteering for Bob Rae, and we're not terribly wild about that."

I would hope that during the public hearings this summer, the minister will examine the statistics in Quebec, where there was a dropoff in volunteers in the geriatric care area, and then what we can do to come up with strategies to mitigate that loss of a very valuable resource base in this province.

Finally, Minister, in your comments this morning you said that you're making tough choices to bring this in, but frankly, if you're not going to inject substantive new dollars into the program, the tough decisions are to take other seniors' programs and put it into long-term care, and we don't think that's the sole way to go.

1430

ORAL QUESTIONS CHILDREN'S SERVICES

Mr Sean G. Conway (Renfrew North): My question today is for the Minister of Community and Social Services, and it concerns the sexual abuse and the sexual exploitation of children.

Minister, I think all of us who have been watching the story unfold in the so-called child pornography case in London are, to put it bluntly, just horrified by yet another example of how this awful cancer seems to have taken root in altogether too much of this society.

Minister, since you have the lead responsibility for the safety and protection of children in the governmental apparatus of Ontario, I'd like to ask you today what actions you have taken, as the minister who is primarily responsible for children in this province, to assist in the protection of those victims, those children, in this latest incident in London and area.

Hon Tony Silipo (Minister of Community and Social Services): I think the member opposite would appreciate that my response will not be to the specific incident. I think he will also appreciate, having been in government, that there are a number of ministries that have responsibilities in the children's area, but of course I acknowledge that our ministry is one of those that have important responsibilities.

In terms of the specific issues of enforcement of proceedings, enforcement around law and order, obviously I think the member would acknowledge that it is both within the Solicitor General's office and the Attorney General's office that the primary responsibility rests. But I can tell the member that certainly we have undertaken

and are continuing to work on a number of initiatives within the Ministry of Community and Social Services which deal with providing stronger support to children's aid societies in the area of prevention, in terms of training of staff—there were some funds that we allocated just recently through children's aid societies specifically for those initiatives—as well as looking at what happens with respect to people charged under the Young Offenders Act and what kinds of alternatives to custody measures can be undertaken. There again, there are some initiatives that are under way now.

Mr Conway: I appreciate all of that, as I'm sure all members do, but as we look at the most recent incident in London, we're now told by police officers and others that it's not just London in this particular case. There are scores of victims, young people between the ages of five and 15 or 17, I believe it is. The investigation in the London case sweeps from Barrie through London all the way into Windsor, in large centres and in small villages.

This is sick and this is serious, and it's not just south-western Ontario. In my part of eastern Ontario, we've had horrific examples of much of the same kinds of things in Kingston, in Prescott, in Smiths Falls, in Alfred. The list just goes on and on.

It seems to me that the members of the Legislature and the province beyond sense a real urgency, Minister, in this situation, because the police reports and the reports of other care givers detail an alarming pattern. I won't recite today the latest from police authorities in the London area, but it is absolutely awful.

Minister, can you detail in a more specific way what actions you have taken, along with your colleagues the minister of justice, the Minister of Correctional Services and the Minister of Education and Training? What initiatives have you taken, for example, to meet with children's aid societies and other child protection services, not just in London but in the case of Operation Jericho, out in eastern Ontario, to give some very clear and urgent direction on behalf of your government that more must be done to root out this awful cancer that is afflicting and injuring so many defenceless young people all across Ontario?

Hon Mr Silipo: I think we all would agree that this is an issue of great sensitivity and an issue of great importance whenever there is this kind of threat to the basic safety of young people. I know that in terms of the local issues in London, the London children's aid society is doing all it can to bring together the various parties in the community—the police, the crown and Family Court clinic—to deal with the specifics of the situation.

I can tell the member that we have also been working to develop a better child abuse screening mechanism. We have put together and just recently issued a draft document to societies. This is something that would replace the present system and do a much more effective job to screen prospective employees who want to work with children in a variety of children's agencies.

This is just but another one of the steps we need to take. We need to continue to work with all the other ministries and with our agencies locally to ensure that greater attention is placed on all these issues, all of which

I think together can enhance both the safety and the care we provide for young people, because the two issues are also very much connected.

Mr Conway: Minister, again, you are the lead minister. You are the lead advocate for children in this government, though others share in the responsibility. But you're the spokesman, you're the defender, you're the advocate for all these kids, kids who by the score in London and in Prescott and in Kingston and in too many other places are being victimized in ways that I think all of us find disgusting.

What I need to know from you today is, with what urgency are you proceeding? What specific action plan have you developed, for example, in response to the London situation? Can you tell the House today, on behalf of your colleagues the Solicitor General, the minister of justice, the Minister of Education and Training and the Minister of Health perhaps, what specific additional measures you as the lead minister and as the advocate for these kids are taking, particularly in the London case, to ensure that every and any assistance that might be provided to police authorities, to child protection agencies in that particular case, is in fact going to be offered and offered in a very quick and timely fashion?

Hon Mr Silipo: I know that the member for understandable reasons continues to come back to the specific situation in London. I believe that last week my colleague the Solicitor General indicated very clearly what the government was doing through his ministry to cooperate with the local police and to deal with the issues in that way.

While we in the Ministry of Community and Social Services have very clear responsibilities in this area, we are not the only ministry that is dealing with this issue.

I can say to the member that we will continue to do our part, in working with our local agencies, in this case particularly the children's aid society, and in other parts throughout the province, and work with our sister ministries to ensure that these issues are brought together in a much more coherent way.

I think we can learn very much, unfortunately, from the instances that are going on to help all of us improve our efforts, both at the provincial level and locally, but it is not the kind of thing to which there are easy and quick solutions.

LONG-TERM CARE

Mrs Barbara Sullivan (Halton Centre): My question is to the Minister of Health and it relates clearly to the long-term care legislation she has introduced and announced today.

One of our major concerns is that the Minister of Health is building expectations for a system that cannot and in fact will not be put into place. Every financial prediction that's been made so far with respect to long-term care has proven to be inaccurate, from resident copayment income that was expected to come in, to service costs of services to be provided to long-term care recipients.

I'm asking the minister if she will answer how she can promise the range of services that she has promised when in fact she doesn't know how many MSAs there will be,

how many multiservice agencies will exist, what the basket of services is that each will provide and what the community-needs analyses are showing; how she can presume to promise that the new system will replace hourly and visit maximums with a dollar-maximum system when the impact of that has not been analysed yet; and how she can justify all and any of these promises when the basic analysis of service planning and financial management will not be available until April 1995.

Hon Ruth Grier (Minister of Health): To be charged with having raised expectations on this issue by a member of a government that was in power for five years and raised expectations in every one of those years without delivering on a single aspect of the reform is a little hard to take.

Let me assure the honourable member that in fact long-term care doesn't begin with this legislation nor end with it. Long-term care implementation began two years ago when we announced our directions and began to put in place the implementation.

Let me remind her of the figures: community-based care expenditures in 1990-91, \$557 million; in 1991-92, \$706 million; in 1993-94, \$887 million—a 60% increase in community-based spending. My generous colleague the Minister of Finance is as committed to this as I am.

The communities that are currently receiving fragmented and uncoordinated services from a variety of agencies are having almost 30% to 40% of their expenditures on administration. As we streamline and integrate the system, we will be able to deliver, just as we have in the past.

1440

Mrs Sullivan: I'll tell you, that delivery has not been very sharp. I have documentation that tells us when in fact this entire program is going to be costed, and those answers are not going to be available for another year. We have promises and we don't know how they're going to be paid for.

In another vein, with respect to the financial side of long-term care reform, I want to go back to the minister with one of the issues I raised in the response to her statement, and that is with respect to the 30% of operating income, and also capital, donations which are made to community agencies across Ontario through volunteer donations and voluntary activity; also the value of patient services that are provided by volunteers to organizations such as the CNIB, VON, St Elizabeth, multiple sclerosis and so on.

As we know, a great deal of the patient service work is now provided by volunteers, whether it's friendly visiting, whether it's assisting with seniors' centres, whether it's providing security checks, whether it's driving residents or patients to health care services. While those services are provided happily by loyal volunteers, there's no confidence that those services will be provided to a bureaucratic structure as envisaged through an MSA. In other jurisdictions, there has been a clear falloff in that kind of volunteer activity.

I would like to know from the minister what analysis she's done in the loss of value of those volunteer ser-

vices, first of all in donations, and secondly in the additional costs which will have to be introduced into the system for patient services which are now provided by volunteers.

Hon Mrs Grier: In her response to my statement, the member said that we should be doing pilot projects, not moving to the implementation of MSAs. Now she says we should wait on increased funding until we have some report on total needs. That's exactly the kind of halting, slow implementation the people of this province rejected in 1990 when they put this government in place to begin to act on some of the commitments and some of the promises.

The member speaks about volunteer agencies. Let me assure her I come from the volunteer sector, for a very long time. I know, in my community, what the volunteer agencies do and I know how much volunteer agencies are looking forward to having some strong support, some way of having volunteer coordination and integration supported by volunteer liaison people at agencies.

She talks about bureaucratic structures. I don't quite understand why she thinks that a volunteer-led, community-based volunteer board with consumers and community representatives is going to be bureaucratic whereas the existing volunteer agencies are not. They're one and the same thing. It's just a response to the community's demand for a more efficient, effective and integrated delivery of service.

Your government wanted bureaucratic service coordinating agencies. Consumers told us they wanted to build on the voluntary sector, and that's what our reform is all about.

Mrs Sullivan: My last supplementary reflects some of the concerns of the people who work in the long-term care sector. The minister indicated today at the news conference that some 5,000 jobs would be shifted or lost under long-term care. Once again there's been no estimate or analysis of the work that will be changed or, in patient choice, by example, how to receive attendant care or how direct funding projects could be involved and still be involved.

There is no long-term labour strategy associated with long-term care reform, and no long-term process to establish that labour strategy. No one knows, because the minister hasn't defined it, where training is going to be put into place and what new skills are going to be developed.

If the minister follows the old example of the Hospital Training Adjustment Panel, and now the Health Sector Training and Adjustment Panel, what we will see is a résumé-writing procedure with no success in doing what it was intended to do, and that is to find real jobs for people.

I'm asking the minister how any workers in the long-term care field can have any confidence in these initiatives when they have no security in their future in the long-term care field and they know, because the minister has indicated, there is no long-term strategy with respect to labour adjustment in this field.

Hon Mrs Grier: I must confess to being disappointed that the member, on behalf of her party, does not take a

more constructive approach to what is very important legislation, and legislation that has been promised for a very long time. There will be opportunities to debate the elements of it, but I would hope she would understand the value of this legislation.

When she says in her question that I said there would be 5,000 jobs lost, she's absolutely dead wrong. I said, as I have said before, that there would be 5,000 new jobs in long-term care as a result of our funding.

I welcome the member's conversion and interest in labour adjustment strategy. That certainly is an improvement. Let me assure her that it is our government that has asked district health councils to put in place human resource plans as they make the shift to long-term care through multiservice agencies, and that it is our government that has created the health services training and adjustment plan with \$30 million worth of funding to support and assist workers whose jobs may change as a result of the increase in employment as a result of our long-term care strategy.

The Speaker (Hon David Warner): New question, third party.

Mr Jim Wilson (Simcoe West): My question is to the Minister of Health, and it concerns her long-term care agenda for this province. Despite warnings from the home health care industry, workers in the home care industry, agencies that broker home care services and patients who receive these services, you have persisted with your government's decision to limit the private sector to 10% of the publicly funded home care market. In announcing this decision last year, you conceded that you had not undertaken one single study to determine the socioeconomic or cost-benefit impact of your ideologically driven agenda.

In your news conference this morning, though, Minister, you mentioned that the 90%-10% public-private split had now become an 80%-20% split. Given that nowhere in your media release or your statement today do you formally announce this change in the private sector's involvement in the delivery of home care services, I have to ask you this question: What is the figure of the month, 10%, 20%, or have you finally decided that your ideologically driven agenda is wrong and dangerous and that you're going to allow the private sector to continue to deliver almost 50% of the home care services in this province?

Hon Mrs Grier: Our agenda responds to a very clear request during consultation on long-term care that it be provided by not-for-profit agencies, and also to the Canada Health Act, which does say that our health system is delivered by not-for-profit agencies.

But let me say to the honourable member that certainly our policy of 10% for purchase from for-profit agencies was one that caused a lot of concern in some areas of the province where services are already provided by agencies that have a much larger share of the market than in some other areas of the province.

As this whole process has been an iterative one where we have tried to respond to the concerns of the communities on whose behalf the planning has been done, in the

legislation I will table today we will make a change: not that the 10% is not our desired goal, but what we are saying in the legislation is that there will be a 20% limit for each multiservice agency on the amount of services that it may purchase. Within that 20%, there may be nursing services, homemaking services, some of which may be provided by for-profit agencies, some by not-for-profit agencies.

Yes, that does represent a change from the policy position and it is in response to the request for some greater flexibility that we heard from some communities.

Mr Jim Wilson: It's very interesting. I take it, Minister, that your shift from 10% to 20% is an admission that your ideology was wrong from the first place; it was wrong last year when you reannounced the 10% decision and it's wrong today.

Consumers didn't ask for this during the public hearings that were held or during the public meetings that were held in the first phase of long-term care. I was at many of those meetings and I'll tell you that when you're at home waiting for home care services, you don't care if it's a private sector agency or a not-for-profit agency coming into your home.

You just want standards of care, you want to know what to expect, you want one-stop shopping so that it's easy to get those services, and you don't want the government putting thousands of people out of work in the private sector simply because it's hell-bent on providing services in the not-for-profit sector, which, by the way, Minister, you have no studies to show is any cheaper or better than the private sector agencies that are there now providing 50% of the care to the people of this province; you have no studies whatsoever.

1450

I want to ask you again, because I've asked you this before and I asked Ms Lankin this in the past, what do you have against the private sector? They get the same pay when they go into a home for a service as a not-for-profit agency—

The Speaker: Could the member complete his question, please.

Mr Jim Wilson: —and in many parts of this province your admission today confirms the fact that government can't deliver all these services and that you need the private sector. So what is it you have against the private sector, Minister, because consumers didn't ask for this—

The Speaker: Would the member please complete his question.

Mr Jim Wilson: —health care officials didn't ask for this. Why are you so wedded to your own—

The Speaker: The question has been asked. Would the member take his seat.

Hon Mrs Grier: I think the honourable member opened his question by accusing me of having an ideology. Far be it for me to suggest that perhaps his ideology is even narrower than mine, as in my response to his first question, I was acknowledging the need for both kinds of services.

Let me be very clear to the member. Seniors across

this province said that they want their health care dollars provided in terms of providing services, goods and wages that will provide service, not in going into profit for private entrepreneurs who are benefiting from the public dollars.

We have a health care system in this province—

Mr Jim Wilson: Government pays the same no matter who delivers the service.

The Speaker: Order. The member for Simcoe West, please come to order.

Hon Mrs Grier: —that is founded on the Canada Health Act and the delivery of not-for-profit health care. Is the member suggesting we get into profit-making hospitals, clinics and all the other components of health care? I hope he's not because that's not what this government is all about.

Mr Cameron Jackson (Burlington South): Minister, we have serious questions about whether or not you have any ideological principles left as it comes to the displacement of these women workers in the health sector, I have to ask you, in spite of the fact that your Jobs Ontario program is 95% targeted for male workers in this province and only 5% of women are able to take advantage of your one and only job creation program in this province.

My colleague has raised legitimate concerns and we as a caucus have raised legitimate concerns about the displacement of thousands of women workers. These are highly skilled, highly trained, highly qualified women, and they're not interested in your 20% figure, your ideology or anything else. They are worried that if you do the same thing to these women workers that you did to day care workers in commercial centres—your government treated them like scabs. You gave no respect, you gave no acknowledgement of their years of service, their qualifications and their seniority.

My question, Minister, is, will you not now come forward and say you will protect these women workers who will be displaced by your policies, that they will have access to jobs in Ontario and have priority access to those jobs? Because your government action lost them their jobs, you have a moral responsibility to ensure that you've provided an additional one for them if you're going to change the status of their contribution. Will you not state in the House that you'll protect their seniority rights so that they'll have employment in this province?

Hon Mrs Grier: I told the House earlier that over the last three years we had increased our spending for community-based, long-term care services by over \$300 million. That represents jobs. That represents care being provided that was not being provided before, much of it, I agree with the member, by women workers. We are creating by our long-term care investment new jobs for workers, many of them women, in long-term care.

As I said some months ago when I indicated that we would provide new services through not-for-profit organizations, we would in each community work on transition plans, work on labour adjustment plans, so that people who are currently working for for-profit agencies would of course by virtue of their training, their expertise and their knowledge—

Mr Jackson: You didn't do anything.

The Speaker: Would the member for Burlington South please come to order.

Hon Mrs Grier: —be eligible and be prime candidates for new jobs. As some of those agencies change, there may not even be any need to change employer. As some of those agencies are melded into multiservice agencies of course those people are likely to be first in line not only for existing jobs but for the many new jobs that will be created through our expenditures.

INCINERATION

Mr David Tilson (Dufferin-Peel): My question is for the Minister of Environment and Energy, the minister who is responsible for the three superdumps in the greater Toronto area.

The member for Etobicoke-Lakeshore, your predecessor, who is now the Minister of Health, announced a ban on the construction of new incinerators in the winter of 1992. In January 1992, at a hearing in Detroit, Michigan, she said that she had no technical evidence to support the theory that incinerators pose a greater risk to the environment than landfill sites.

My question to you is, do you agree with the former Minister of the Environment's position to ban the construction of new incinerators in Ontario despite the lack of supporting research?

Hon Bud Wildman (Minister of Environment and Energy): Yes, I support my former colleague's position, I reconfirm it, and I want to make it very clear that she did not say what the member claims that she said she said.

Obviously, if you burn something, you produce ash. You also produce gases that go into the atmosphere. Things do not just disappear. You have to deal with those gases in the atmosphere that may be toxic. You also have to deal with the ash, which usually will end up, I suspect, in landfill.

Mr Tilson: The minister did say that. In fact, the transcript from Detroit says it quite clearly on a question as to what evidence she had for supporting the conclusion that she had read. She said, "I have no technical evidence that I can produce for you today about that." It's as simple as that.

Hon Mr Wildman: "Today."

Mr Tilson: She has no technical evidence, and you know that. The former minister has, and I expect you have, no technical arguments to support the position of your government.

If I can provide you with some, and I'll be pleased to give you some, that suggest that incinerators are more environmentally sound than landfill sites, would you open up the IWA process and allow communities to consider energy-from-waste facilities as an option?

Hon Mr Wildman: The problem with the proposal the member is putting forward is that it would require an ongoing supply of a significant amount of waste to supply the incinerator. This community, Ontario, this province, is very committed to the 3Rs: reducing, reusing and recycling.

In terms of recycling, we have three million households in this province already involved in the blue box. If we went to incineration, much of that material that is going into recycling and is being diverted from the waste stream in that way would go into incineration.

Interjection.

The Speaker (Hon David Warner): The member for Etobicoke West is out of order. Order.

Mr Tilson: I'm afraid that's the blatant rhetoric that you've been putting forth since your government came to power. You have no statistics whatsoever to justify the position you're taking.

The study that I'm referring to in my second supplementary is a study released in the Solid Waste Technology magazine by Dr K.H. Jones, and I'm going to read a number of quotations that she makes.

—"The relative risks associated with landfill options are far greater, from 10 times to 20,000 times higher, than for incinerators."

—"Landfills emit significantly higher amounts of greenhouse gases than comparatively sized incinerators."

—"Landfills are projected to generate landfill gas for more than 110 years, whereas incinerator emissions stop the day the facility stops."

Finally, "When a new landfill and incinerator are compared from a risk perspective, the landfill appears to pose greater health and environmental risks."

Those are a number of findings that this person made in this magazine.

1500

Minister, will you set aside the philosophical blinders that both you and the former minister have had and look at incinerators as a viable option for municipalities to consider in this province?

Hon Mr Wildman: The member suggests that in some way or other I have some blinders on. I think he should be careful, in making his comments in the House, not to set up a straw person. The fact is that he compares landfill and incineration as if they were the only two choices. I want to point out to him that in Detroit, where there is no blue box program, that may in fact be the case. This province has a serious commitment to recycling and we are not going to divert materials away from recycling into incineration.

LEGAL PROFESSION

Mr Robert Chiarelli (Ottawa West): My question is to the Attorney General. Minister, the Ministry of the Attorney General Act—

Interjection.

The Speaker (Hon David Warner): Order. The member for Etobicoke West, please come to order.

Mr Chiarelli: —which governs your responsibilities—

Mr Chris Stockwell (Etobicoke West): What are you doing? You're expanding landfills.

The Speaker: I caution the member for Etobicoke West that he is to come to order. The member for Ottawa West with his question.

Mr Chiarelli: My question is to the Attorney General, Minister, the Ministry of the Attorney General Act, which governs your responsibilities, states quite clearly, "The Attorney General shall superintend all matters connected with the administration of justice in Ontario."

These days crises abound in the legal profession and the public interest requires you to take some leadership and to provide assurances to the public. The public has a right to be concerned about the \$122-million deficit in the lawyers' malpractice fund as identified by independent auditors.

The legal profession, as you are aware, is in a unique position of operating its own malpractice insurance fund through the lawyers' professional indemnity corporation. As you are aware, this fund is now in a deficit position to the extent of \$122 million. If this were a private corporation, all the experts tell me that it would be shut down today.

Minister, my question to you is this: What have you done to assure people in Ontario that their claims against lawyers are protected in light of this \$122-million deficit and what are you doing to reduce the level of malpractice suits people in Ontario feel compelled to start against Ontario's lawyers?

Hon Marion Boyd (Attorney General): As I know the member is well aware, the legal profession in this province is governed by the Law Society of Upper Canada, a self-governing body, which is responsible for the discipline of its own members. It is indeed important that we recognize that when there is a self-governing body of this sort, it is important that that body have the accountability that is required.

The benchers of the law society have been made aware of this issue. They have taken steps to address the shortfall in the fund. That will certainly create great difficulties, I'm sure, for many who are practising law in these very lean times in the province. But they are exercising their responsibility.

I have had a number of discussions with both the treasurer of the law society and with other benchers of the law society about the seriousness. I am satisfied that the society itself is taking the action that is required, both to deal with the shortfall and to deal with the discipline areas in their own act.

There has been a very serious review that has gone on for some time about discipline in the profession, and that goes on. That decision will be made by the benchers, and if changes are needed in the act, the benchers will recommend them to us and they will have our support.

The Speaker: Could the minister conclude her response.

Mr Chiarelli: The buck still stops on your desk, Minister, inasmuch as you are the ultimate person responsible to superintend the administration of justice in this province. I have not heard any strong assurances from you that the public is fully protected by reason of this deficit not being immediately addressed. I'm still awaiting that assurance from you.

In a similar type of problem, we have reports that large numbers of lawyers are getting out or are considering get-

ting out of the legal aid plan because the plan now owes Ontario lawyers over \$30 million in fees dating back to January. These are moneys the province is obliged to pay under the Legal Aid Act. Partially as a result of this, as of April 22 a whopping 2,447 lawyers, about 10% of the Ontario bar, had not paid their insurance levies, and about 1,700 had failed to pay their obligatory registration fees entitling them to practise in Ontario.

My question to you is this: As the minister required by law to superintend the administration of justice in this province, do you think this situation will contribute to a healthy and vibrant legal profession? If not, what are you doing to protect the public from a weakening legal aid system and a profession in crisis or near crisis?

Hon Mrs Boyd: First of all, I'm completely amazed that a member of the profession itself would be expecting me to take some kind of unilateral action when the profession has always been a self-governing profession in this province and in fact the law society is taking the action that it is expected to take by its own members, is expected to take by the public and is required to take under the act.

I think the member needs to be very, very clear that it is never appropriate, and I could not imagine that the member would think it was appropriate, for any Attorney General to suddenly take over in the kind of way he's suggesting in a self-governing profession. That simply is not the way we've done it in the province of Ontario and is certainly not the way I intend to do it.

In terms of the legal aid plan, again we have agreements with the law society around the way in which that plan is administered. It needs to be at arm's length from government so that there is never any suggestion that political influence is exercised over who is eligible for legal aid. The legal aid plan is very well aware that the cash-flow practices that it has followed for many years are creating difficulty at this point in time because the recession has caused so much difficulty for lawyers in terms of the available dollars they have at the end of the year to pay their fees.

The legal aid plan and the law society are working together to try to resolve this issue, and they have our full support and are consulting fully with us in their efforts to do so.

PORNOGRAPHY

Mr Robert W. Runciman (Leeds-Grenville): My question is to the Solicitor General, and it concerns the London child pornography probe. Minister, as you are aware, there are 55 known victims. Some 39 people have been charged, nine people have been convicted and 243 criminal charges have been laid. Police have recovered more than 1,000 videotapes and 850 photographs which have been made of these 55 victims.

We now know that the investigation has spread to Toronto, Windsor and Barrie. Now it may in fact have spread across the continent and reach as far afield as California. Minister, do you have a handle on how big this child porn ring really is? Do you know how far its tentacles have spread?

Hon David Christopherson (Solicitor General): As

the member will know from previous questions and answers here in the House, my discussions with London Police Chief Fantino and my further discussions with our own ministry officials apprise me that indeed there is an issue of going beyond the immediate jurisdiction of London.

Indeed that's why in my conversation with Chief Fantino and the police service there and my ministry officials, there is discussion of going further even than our Project P and ensuring that we have the ability to cross the jurisdictions to do the kind of investigative work and police work that Ontarians expect.

I believe that Chief Fantino and his police service in London have done that job there, and we are now working with him to ensure that the job that needs to be done elsewhere across Ontario indeed takes place.

1510

Mr Runciman: I'm not sure from that response that the minister does have a handle on it, and I can understand it, because we're still seeing new information come in on a daily basis.

Minister, the London Police have had calls from forces as far away as Detroit and California asking about linking their own child porn investigations back to the one in London. Informed sources are indicating that a tape or tapes currently in the possession of a police department in the Los Angeles area in fact originate from London.

Last week London Police Chief Fantino asked for a province-wide task force on child pornography and you said that such a joint task force was a priority. Given that this thing may stretch right across North America, when will you announce this joint task force and how will you ensure it gets rolling as quickly as possible?

Hon Mr Christopherson: I'm pleased to advise the member that within the next few days there will be a meeting of OPP officers, ministry officials and officers from London to do exactly what he is talking about, that is, to determine the scope of the project required and to make recommendations with regard to what resources and from where and how they should play a role.

I think all honourable members would understand that this is a role for police experts, police professionals. I've given the political commitment on behalf of this government that when those recommendations are ready to be made to me, they will be responded to on a priority basis, and I maintain that. I believe the process is following the way Chief Fantino had asked it follow, and it's certainly consistent with the procedures that we have built in. I know all honourable members would want to support the police and my ministry officials as they put together a response plan to this most hideous of activities.

The Speaker (Hon David Warner): The honourable Minister of Environment and Energy has a reply to a question asked earlier by the member for Mississauga North.

MINISTRY OF ENVIRONMENT
AND ENERGY SPENDING

Hon Bud Wildman (Minister of Environment and Energy): Last week the member for Mississauga North asked for some information about the work of my

ministry, and I'd like to report back.

On June 27, an event will take place at the MOE office to express thanks to all those who helped bring about the Environmental Bill of Rights, including members of the EBR task force, ministry staff members who worked hard on this project.

This event has no bearing whatsoever on the excellent work of the ministry's emergency response program. Contrary to what the member said, the program has not been, nor will it be, gutted. We are proposing to make this program more effective and save money at the same time, which is a good thing.

The proposal is to establish an afternoon shift so that until 10 pm each weekday evening there will be ministry personnel on the job and immediately available in the event that they are needed to respond to an emergency, such as a spill of toxic material. Our experience shows that it is during the day and early evening that the highest number of incidents occur. Between 10 pm and 8 am and on the weekends, which are times when the number of incidents is much lower, there will be staff on call who will respond to an event in an emergency.

We expect that this change, besides improving the number of people who will be available, will save between \$700,000 and \$1 million, but no final decisions have been taken.

Just for the member's interest, the cost of the get-together for EBR is \$627.

Mr Steven Offer (Mississauga North): It is clear that if one took a look at the demeanour of the minister in responding to my question of last week and today, one would see two different approaches. The minister has now recognized that indeed the emergency response organization has been curtailed. There is no question that there is and has been a change, that there will not be immediate response—and I underline the word "immediate" response—by the Ministry of Environment in the event of a toxic spill should that spill take place after 10 pm on weekdays or any time during the weekend.

I believe the Minister of Environment should justify and give to us, the people of the province, the reasons he believes it is right that there is not going to be immediate response to toxic spills in the event that they take place after 10 pm weekdays or during weekends. How can you justify that?

Hon Mr Wildman: The member knows from my earlier comments that there will be people on call after 10 pm and on weekends. They will be available so that if they get a call on their beeper, they will then go and attend to it. But the member ignores the fact that in the past there was no afternoon shift. What we are now instituting is one additional shift, so until 10 pm there will be actually more service, and more immediate service in case of emergency. As I said, it is prior to 10 pm that most of the incidents occur, not after 10 pm or on weekends.

FOREST INDUSTRY

Mr David Ramsay (Timiskaming): I'd like to ask the Minister of Natural Resources how the new stumpage system is going to affect the income of those independent

loggers who harvest wood through district cutting licences.

Hon Howard Hampton (Minister of Natural Resources): At this time there is no plan to include independent loggers who acquire crown timber to cut by means of a district cutting licence. The intention is to negotiate first with the large FMA, forest management agreement, holders, which is ongoing at this point in time; second, to negotiate with other large order-in-council licence holders, many of whom may in fact have a sawmill or a wood products mill of that type. Only after those types of licences have been negotiated through the new business relationship would Ministry of Natural Resources officials begin to deal with smaller order-in-council licences and then finally with district cutting licences. That probably will not happen for at least a year, I would think.

Mr Ramsay: I have a licence to cut crown timber here, commonly known as a DCL, a district cutting licence. It does reflect the new stumpage fees. For instance, white pine is now \$6. Of course, the old limit of \$10,000 of fees is still there, so basically what this means is that DCLers are going to be able to cut about 45% less wood than previously. They're keeping the ceiling of stumpage fees payable to the crown the same as before, yet have increased those stumpage fees by 45%, so therefore less wood is going to be cut and they're going to suffer a loss of income, and also their ability to employ other independent loggers to cut wood by about 45%.

I'm asking that the ceiling be raised; I'm not arguing the stumpage fee increase but that the ceiling be increased so they could at least maintain their present income.

Hon Mr Hampton: The stumpage issue the member is talking about is not related to the new stumpage system. It's related to the dramatic increases in lumber prices that have happened across North America in the last year or so. Two and a half years ago, lumber was selling for about \$200 per thousand board feet. It is now selling, if you include the US-Canada dollar differential, for about \$600 per thousand board feet and more. Since the stumpage system is essentially linked to the market price, stumpage systems across the province have gone up.

I would say to the member that all our information indicates that lumber mills of all sorts, types and sizes indeed have the revenue to be able to pay those stumpage fees, so if somebody is having trouble getting a pass-on of revenue from a sawmill company that is buying the wood from the DCL holder, that's a private business relationship that the government really doesn't have anything to do with. If you look at the new Crown Forest Sustainability Act, which we introduced in the House on Wednesday, some of the answers that your constituents may be searching for will be found in that act.

1520

LABOUR LEGISLATION

Mrs Elizabeth Witmer (Waterloo North): Earlier this month I gave the Minister of Labour an example of how his one-sided labour legislation, Bill 40, is destroy-

ing the balance between management and union rights. Today I would like to ask the minister about yet another example of how devastating the impact of Bill 40 has been.

You know that the private operators who had planned to operate several short rail lines formerly owned by CN cannot do so because of the successor rights section in Bill 40 which requires the purchaser of these lines to honour as many as 17 collective agreements that CN had previously entered into with several unions. In my own community, the proposed recreational steam train which was to run on the rail line between Waterloo and St Jacobs has been derailed by Bill 40. This train is very important to the tourism industry in my community and to job creation.

Minister, my colleagues have on numerous occasions asked you to take action. Can you tell us what you have done to protect jobs? What are you going to do to ensure that the short rail lines can continue to be kept in service as private enterprise?

Hon Bob Mackenzie (Minister of Labour): We might start by finding out why CN and CP are dumping some of the lines and why they wouldn't continue operating them. But I want to tell the member across the way that Bill 40 has almost no effect on the short-line railway issue. There has not yet been a short-line railway potential purchaser or operator that has gone to the board, which is an option they have, for an amalgamation, which they would probably get. So as yet, they haven't at all explored all the avenues that are there. We have made it very clear that various ministers are working together to sit down and try to work out some arrangement with anybody who does decide they want to purchase one of the short-line railway operations.

Mrs Witmer: Minister, you know you could have facilitated the process of handing these lines over to private enterprise and you could have preserved jobs. Instead, you and your colleagues are playing political games.

On March 22 of this year, my colleague the member for Simcoe West introduced Bill 142. This act would have amended section 641 of the Labour Relations Act to exempt a business involved in the purchase of a section of railway track from the successor rights provisions introduced by Bill 40. Minister, this issue could have been resolved by now if you and your government would agree to the swift passage of this bill. Will you agree to pass the bill this session? If not, why do you stand in the way of job creation?

Hon Mr Mackenzie: I wonder if the honourable member across the way ever looks at the other side of the issue. The successor rights provision of Bill 40 was put in there so that workers, and primarily it was designed for office towers and food operations and cleaning establishments, who had negotiated a contract and a decent wage were protected when the bidding came up, which meant a new bidder might move in on that operation and take it over and decide he wanted an entirely new group of workers, or, if he kept the workers who were there, was going to make sure he cut the wages and benefits they'd negotiated.

Now you're telling me that we should rescind this bill, sacrifice all those workers to meet a requirement that could be met by the railway people if they went before the board and asked for a consolidation. I'm certainly not going to destroy protection that's there for workers in the province of Ontario.

HEALTH CARDS

Mr Gordon Mills (Durham East): My question this afternoon is for the Minister of Health. I know the implementation of the new health card is going to require some arrangement with the Ministry of Transportation to get the photographs taken. As a member who represents quite a large rural riding, most of the people I represent don't live near a driver's licence bureau. In fact, in my own community of Orono we are many miles from the nearest driver's licence bureau.

What are we going to do about the people who have no cars to get to those facilities, and the many people who have no driver's permit even if they had a car, and the many of them who are elderly and have great difficulty travelling very far? Could you tell me and my constituents if there are any arrangements being made to facilitate the problem I put before you this afternoon?

Hon Ruth Grier (Minister of Health): I can say to the member that as we look at how best to implement the new photo health cards, we certainly are looking at ways of meeting the needs of the kinds of situations the member has described. We're looking, for example, at mobile registration units that could visit places such as nursing homes and remote areas. That was done when the previous card was introduced by the previous government, and we found ways of very effectively getting to the homeless and people in remote communities. It is certainly our intention to do that this time.

Let me point out to the member that there are currently only 20 offices of the Ministry of Health that somebody can go to if they have to replace their OHIP card. By our partnership with the Ministry of Transportation, there will now be the additional 360 offices of the Ministry of Transportation. We see that as expanding the convenience and the access to places where people can get a new card.

But people will be given the details of how they can get their card, and we certainly intend to make it as easy and as flexible as possible.

Mr Mills: Thank you, Minister, for that answer. Can you tell me what sort of arrangements will be made to notify the folks who live in my riding? Are they going to have some advance notice so they can make some plans ahead of time? How do you propose to do that?

Hon Mrs Grier: Details of the new card and how people will receive theirs are currently under development and I hope to be able to announce them more specifically in the fall. But let me say to the member that what we intend to do, beginning in February 1995, is to notify people when it is their turn to get a new health card, because this will be implemented over a three-year period; it won't be everybody all at once. Each eligible cardholder will be sent a letter telling them how to apply, and as I say, it will take three years to re-register the entire population of 11 million people.

I would say to him and to his constituents that they will make it easier for this process to work if they keep OHIP up to date on their current address, and we hope people would do that. Change-of-address forms are available at ministry offices or by calling 1-800-268-1154.

The Speaker (Hon David Warner): Could the minister conclude her response, please.

Hon Mrs Grier: We hope people who have questions will call that number for details.

AGRICULTURAL LABOUR POLICY

Mr Murray J. Elston (Bruce): My question is to the Minister of Agriculture, Food and Rural Affairs. I ask the minister if he will support public hearings being held on Bill 91, the farm labour organization bill, and if so, how many weeks he thinks should be taken for that job to occur.

Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs): Bill 91 is a bill that's had a lot of consultation, a lot of discussions involving a lot of the farm groups across this province. Over a period of a year or so, a consensus was reached between the farm groups represented and the labour groups that were working together in a committee. They actually produced two reports, one of which is an original task force report, and finally they put forward a number of amendments which have been circulated and checked out by legal officials on all sides and have been agreed to. I don't think there's any need for any long, lengthy public hearings process here.

Mr Elston: It's very interesting that this member knows, that is, the Minister of Agriculture and Food knows, that the only reason we're into Bill 91 is because his government decided under Bill 40 to remove the agricultural exemption from the Ontario Labour Relations Act. He knows very well that they offended all the people who participated in the consultation by bringing in the current view of the plan. He knows he has offended almost all of the farm community.

I want to know from the Minister of Agriculture and Food what the NDP have to fear by preventing farm organizations, which he says now support the legislation, by preventing farmers in general from coming in front of the Legislative Assembly to voice their individual concerns about this farm labour bill. Why won't they let the people be heard when he knows right well that the farming public in all aspects do not want his legislation? Why are they shutting down the voice of agricultural producers right across this province? When will they learn their lesson in democracy?

Hon Mr Buchanan: The honourable member for Bruce usually gets it right. But this particular time, the leader of his party is going around the province saying that this legislation is going to lead to strikes on family farms and trying to alarm farmers. In fact, I just read an article: She was in my area a week ago and gave a speech saying that this is going to cause a lot of strikes and difficulties for farmers, which is not the case.

1530

The amendments have been presented and have been

agreed to. There will be no strikes, no lockouts. That has been agreed to.

Interjection.

The Speaker (Hon David Warner): Order, the member for Grey-Owen Sound.

Hon Mr Buchanan: All of this legislation, these amendments, has been agreed to by all parties. I think it's important that Bill 91 be passed and we get on with some other legislation.

The Speaker: The time for oral questions has expired. Motions. Petitions.

MEMBER'S COMMENT

Mr Allan K. McLean (Simcoe East): Mr Speaker, I rise on a point of personal privilege to correct the record of a statement I made in this Legislature last Tuesday, May 31.

After reviewing Hansard, I determined that I may have been a little hard on the member for Norfolk when I was commenting on the inadequate response from the Minister of Municipal Affairs to a concern raised by a delegation of municipal officials from the township of Norfolk—perhaps not the most appropriate choice of words.

I was trying to make the point that the government is not responding to the very serious concerns raised by the people of Ontario, and I guess I was a little hard on the member for Norfolk, but those people want to be listened to, not ignored, by the ministry.

Interjection.

The Speaker (Hon David Warner): Order. We would require unanimous consent to return to motions. Is there unanimous consent to return to motions? Agreed.

MOTIONS

STANDING COMMITTEE ON
ADMINISTRATION OF JUSTICE

Hon Brian A. Charlton (Government House Leader): I move that the standing committee on administration of justice be authorized to meet on Wednesday, June 8, 1994, for the purpose of conducting public hearings on the matter designated pursuant to standing order 108 with respect to the sale and distribution of ammunition and community-based crime prevention programs.

The Speaker (Hon David Warner): Is it the pleasure of the House that the motion carry? Carried.

PETITIONS

SEXUAL ORIENTATION

Mr Hugh O'Neil (Quinte): I have a combined petition that has been submitted to me by the Bethel Chapel in Belleville, the Belleville Wesleyan Church and the Full Gospel Tabernacle Church in Frankford, Ontario. The petition reads:

"To the Legislative Assembly of Ontario:

"Whereas in our opinion the majority of Ontarians believe that the privileges which society accords to married heterosexual couples should not be extended to same-sex relationships; and

"Whereas for our government to use our tax money to furnish contributions for the propagation of practices

which we sincerely believe to be morally wrong would be a serious violation of our freedom of conscience; and

"Whereas redefining 'marital status' and/or 'spouse' by extending it to include gay and lesbian couples would give homosexual couples the same status as married couples, including the legal right to adopt children; and

"Whereas the term 'sexual orientation' is vague and undefined, leaving the door open to demands for equal treatment by persons with deviant sexual orientations other than the practice of homosexuality,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We request that the Legislature not pass into law any act to amend the Human Rights Code with respect to sexual orientation or any similar legislation that would change the present marital status for couples in Ontario."

Mrs Margaret Marland (Mississauga South): I have a petition to the Legislative Assembly of Ontario which reads as follows. It is submitted as the result of a vote taken at the 73rd Annual Convention of the Toronto Archdiocesan Council of the Catholic Women's League of Canada.

"The Ontario government has introduced legislation on same-sex rights and benefits and this bill has had first reading in May, 1994; and

"Whereas Catholic doctrine teaches that homosexual relationships are not and, indeed, cannot be considered conjugal relationships, and that procreation and rearing of children involves responsibilities and sacrifices that are assumed by the majority of heterosexual couples;

"We, the undersigned, assembled at the 73rd Annual Convention of the Toronto Archdiocesan Council of the Catholic Women's League of Canada, June 1 and 2, 1994, petition the Legislative Assembly of Ontario as follows:

"That the bill proposing same-sex rights and benefits be voted down unanimously by all members of the provincial Parliament on second reading."

I will sign this petition.

TRANSPORTATION FOR THE DISABLED

Mr Larry O'Connor (Durham-York): I've got a petition that was circulated yesterday at Whitchurch-Stouffville Mobility Transit Access Awareness barbeque at Margaret Britton's house.

"To the Legislative Assembly of Ontario:

"Whereas the Metro Licensing Commission and Metro council passed bylaw 95-93 prohibiting the cross-boundary accessible taxi services which serve mobility-impaired individuals; and

"Whereas cross-boundary accessible transit service originating in the town of Whitchurch-Stouffville by AAA Transport Ltd is being adversely affected by the Metro bylaw; and

"Whereas dozens of citizens of Whitchurch-Stouffville rely on this accessible taxi service to travel to jobs and hospitals in Metro;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario work with the council of Metro Toronto and the Metro Licensing Commission to exempt accessible taxis from existing legislation and bylaws to allow them to better serve the residents of Whitchurch-Stouffville."

Mr Speaker, I know there's an omnibus bill going to be passed, hopefully, by this government and all the members quite quickly that will deal with this issue, because Metro council hasn't.

SEXUAL ORIENTATION

Ms Dianne Poole (Eglinton): I have a petition addressed to the Legislature of Ontario. It is signed by 58 members of the Blessed Sacrament Church in my riding.

"Whereas the Roman Catholic archbishop of Toronto has asked church members to register their opposition to Bill 167; and

"Whereas many Catholics disagree with the archbishop's pastoral letter on this legislation; and

"Whereas we wholeheartedly support extending full human rights to all our brothers and sisters in Christ; and

"Whereas providing same-sex couples with the same rights and obligations as other families will strengthen society;

"We, the undersigned, from Blessed Sacrament Church, Toronto, petition the Legislature of Ontario as follows:

"That the Legislature pass Bill 167, An Act to amend Ontario Statutes to provide for the equal treatment of persons in spousal relationships."

Mr Speaker, although I'm not a member of Blessed Sacrament Church, I support their petition and have affixed my signature.

Mr Gary Carr (Oakville South): I've been asked by constituents of my riding to table a petition which reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Equality Rights Statute Law Amendment Act, commonly known as the same-sex benefits bill, Bill 167, will change the definition of marriage and allow homosexual couples to adopt children; and

"Whereas it does not reflect the mainstream priorities of the people of Ontario or the priorities that the Ontario government should be dealing with; and

"Whereas Lyn McLeod has stated a future Liberal government will move to enact this legislation; and

"Whereas this bill passed first reading with NDP and Liberal support; and

"Whereas the bill would recognize homosexual couples and extend to them the same rights as heterosexual couples; and

"Whereas the bill caters solely to the demands of a local special-interest group; and

"Whereas redefining marriage and forcing the private sector to pay same-sex spousal benefits will have serious negative economic and social ramifications,

"We, the undersigned, petition the Legislative Assembly of Ontario to withdraw the same-sex bill and encourage all MPPs to vote against the bill on second and third readings."

I have signed that as well, Mr Speaker.

Mr Tony Rizzo (Oakwood): I have a petition to the Legislative Assembly of the province of Ontario:

"Whereas it is a basic right of every adult human being to form a committed spousal relationship with another person of their choice under the protection of the law and without any discrimination based on whether the individuals are the same sex or opposite gender; and

"Whereas persons in this province who are members of same-sex families are improperly denied the basic fundamental protection, freedoms, rights and advantages accorded to families solely because they are not of opposite sexes; and

"Whereas Ontario courts and tribunals, the Ontario Law Reform Commission and the Parliament of Europe have found that the denial of these rights is discriminatory and unfair,

"We, the undersigned, support the extension of full rights, benefits and responsibilities accorded to heterosexual couples to persons in same-sex relationships."

1540

Mr Robert V. Callahan (Brampton South): I have a petition that's signed by about 50 residents of my community. It's addressed to the Legislative Assembly of Ontario and to me.

"We, the undersigned residents and voters of Brampton South, draw the attention of the Liberal member of Parliament, Bob Callahan, to the following:

"Whereas the majority of residents in the Brampton South riding believe that privileges which society accords to heterosexual couples should not be extended to same-sex relationships;

"Whereas we feel that redefining the definition of 'spouse' to include same-sex relationships also in turn redefines the meaning of 'family' and is not only detrimental to Canadian society but also harmful to the emotional, mental and social wellbeing of the children of our country;

"We, the constituents of the Brampton South riding, feel that our member of provincial Parliament should be representing the view of the majority of voters in this riding and vote against the same-sex benefits bill at the next reading."

I've affixed my signature thereto.

Mr Chris Hodgson (Victoria-Haliburton): I have a petition signed by dozens of people from my constituency:

"To the Legislative Assembly of Ontario:

"Whereas the majority of Ontario citizens believe that the privileges which society accords to heterosexual married couples should not be extended to same-sex relationships; and

"Whereas redefining the fundamental institutions of marriage and family and allowing same-sex couples to adopt children would cause an enormous negative impact on our society over the long term;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario refrain from changing the provincial laws to extend spousal and family benefits to same-sex couples."

Mr David Winninger (London South): I have a petition signed by many residents of my riding of London South. It's phrased as follows:

"To the Parliament of Ontario:

"Whereas the protection of human rights is a fundamental principle of international law and is an overriding responsibility of all governments; and

"Whereas the NDP government of Ontario has introduced Bill 167, the Equality Rights Statute Law Amendment Act, 1994; and

"Whereas we are very concerned about the elimination of discrimination against gay and lesbian relationships; and

"Whereas any further denial of these basic human rights in Ontario is unconscionable;

"We, the undersigned, petition the Parliament of Ontario as follows:

"To actively support relationship recognition for lesbian and gay citizens of Ontario by showing leadership on this basic human rights issue and voting yes to Bill 167, the Equality Rights Statute Law Amendment Act, 1994, and asking your colleagues to do the same."

I have affixed my signature to this petition and I support it.

Mr Hugh O'Neil (Quinte): I also have a petition which I'd like to present today. It's from residents in the Frankford area in my riding, and it reads:

"To the Legislative Assembly of Ontario:

"Whereas the majority of Ontario citizens believe that the privileges which society accords to heterosexual couples should not be extended to same-sex relationships; and

"Whereas redefining the fundamental institutions of marriage and family and allowing same-sex couples to adopt children would cause an enormous negative impact on our society over the long term;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the House refrain from changing provincial laws that deal with family, marriage and children and that the undefined phrase 'sexual orientation' be removed from the Ontario Human Rights Code."

Mrs Margaret Marland (Mississauga South): A petition to the Legislative Assembly of Ontario:

"Whereas the Ontario government has introduced legislation on same-sex rights and benefits, and this bill has had first reading in May 1994; and

"Whereas Catholic doctrine teaches that homosexual relationships are not and indeed cannot be considered conjugal relationships and that procreation and rearing of children involve responsibilities and sacrifices that are assumed by the majority of heterosexual couples;

"We, the undersigned, assembled at St Patrick's parish June 4 and June 5, 1994, petition the Legislative Assembly of Ontario as follows:

"That Bill 167, proposing same-sex rights and benefits, and any amendments thereto be voted down unanimously by all members of provincial Parliament."

I will sign this petition.

MOTORCYCLE AND SNOWMOBILE INSURANCE

Mr Ron Hansen (Lincoln): To the Legislative Assembly of Ontario:

"Whereas we, the undersigned, are of the opinion that private insurance companies are exploiting Ontario motorcyclists and snowmobile operators by charging excessive rates for coverage or by outright refusing to provide coverage;

"Whereas we, the undersigned, understand that those insurance companies that do specialize in motorcycle insurance will only insure riders with four or more years of riding experience and are outright refusing to insure riders who drive certain models of supersport bikes; and

"Whereas we, the undersigned, believe this situation will cost hundreds of jobs at dealerships in the motorcycle industry and is contrary to the rights of motorcyclists and snowmobile operators;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario should study the feasibility of launching public motorcycle and snowmobile insurance."

I affix my signature to these petitions. There's a total of 716 signed.

SEXUAL ORIENTATION

Ms Dianne Poole (Eglinton): I have another petition I'd like to read to the Legislature of Ontario:

"We, the undersigned, petition the Legislature of Ontario as follows:

"We unconditionally support Bill 167, the Equality Rights Statute Law Amendment Act, introduced in the Legislature on May 19, 1994.

"These proposed changes mainly affect same-sex spousal benefits and adoption rights, as well as the inclusion of same-sex couples in the definition of the term 'spouse.'

"Gay and lesbian couples should be acknowledged in fair, equal and respectful terms. We support the extension of full benefits and responsibilities accorded to heterosexual couples to persons in established same-sex relationships."

Mr Speaker, you'll be pleased to note this is also repeated in French. I have affixed my signature to the petition.

JUNIOR KINDERGARTEN

Mr Ted Arnott (Wellington): I have a petition to the Legislative Assembly of Ontario and it reads as follows:

"Whereas the previous provincial Liberal government of David Peterson announced its intention in its budget of 1989 of requiring all school boards to provide junior kindergarten; and

"Whereas the provincial NDP government is continuing the Liberal policy of requiring school boards in Ontario to phase in junior kindergarten; and

"Whereas the government is downloading expensive programs like junior kindergarten on to local boards while not providing boards with the funding required to undertake these programs; and

"Whereas the Wellington County Board of Education estimates that the operating cost of junior kindergarten will be at least \$4.5 million per year; and

"Whereas mandatory junior kindergarten programs will force boards to cut other important programs or raise taxes; and

"Whereas taxes in Ontario are already far too high;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that the government of Ontario cancel its policy of forcing junior kindergarten on to local school boards."

I have supported this petition as well.

MOTORCYCLE AND SNOWMOBILE INSURANCE

Mr Mike Cooper (Kitchener-Wilmot): Mr Speaker, as you know, there was a rally held outside these chambers yesterday attended by over 1,000 motorcyclists. I have petitions that were handed to me and signed by 3,000 motorcycle riders and motorcycle enthusiasts. It is to the Legislative Assembly of Ontario:

"Whereas we, the undersigned, are of the opinion that private insurance companies are exploiting Ontario motorcyclists and snowmobile operators by charging excessive rates for coverage or by outright refusing to provide coverage; and

"Whereas we, the undersigned, understand that those insurance companies that do specialize in motorcycle insurance will only insure riders with four or more years of riding experience and are outright refusing to insure riders who drive certain models of supersport bikes; and

"Whereas we, the undersigned, believe this situation will cost hundreds of jobs at dealerships and in the motorcycle industry and is contrary to the rights of motorcyclists and snowmobile operators;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario should study the feasibility of launching public motorcycle and snowmobile insurance."

I affix my signature and hand this to the page from Kitchener-Wilmot, who also supports motorcycle riders.

INTRODUCTION OF BILLS

LONG-TERM CARE ACT, 1994

LOI DE 1994 SUR LES SOINS DE LONGUE DURÉE

On motion by Mrs Grier, the following bill was given first reading:

Bill 173, An Act respecting Long-Term Care / Projet de loi 173, Loi concernant les soins de longue durée.

The Deputy Speaker (Mr Gilles E. Morin): Minister, would you please make a brief statement.

Hon Ruth Grier (Minister of Health): This act ensures that a wide range of community services are available as alternatives to institutional care for the elderly and the physically disabled.

ENDANGERED, THREATENED AND VULNERABLE SPECIES ACT, 1994

LOI DE 1994 SUR LES ESPÈCES VULNÉRABLES, MENACÉES OU EN VOIE DE DISPARITION

On motion by Mr Wiseman, the following bill was given first reading:

Bill 174, An Act to revise the Endangered Species Act and to protect Threatened and Vulnerable Species / Projet de loi 174, Loi révisant la Loi sur les espèces en voie de disparition et visant à protéger les espèces vulnérables et les espèces menacées.

The Deputy Speaker (Mr Gilles E. Morin): Do you wish to brief a statement?

Mr Jim Wiseman (Durham West): Yes, Mr Speaker, thank you. This bill will expand the Endangered Species Act as it currently exists, it will allow the minister to create an advisory committee, it also includes flora and fauna to the Endangered Species Act and it would allow the minister to acquire land or enter into land management agreements in order to protect species and to build better ecosystems for the future of the province of Ontario.

STATUTE LAW AMENDMENT ACT (GOVERNMENT MANAGEMENT AND SERVICES), 1994

LOI DE 1994 MODIFIANT DES LOIS EN CE QUI A TRAIT UX PRATIQUES DE GESTION ET AUX SERVICES DU GOUVERNEMENT

On motion by Mrs Boyd, the following bill was given first reading:

Bill 175, An Act to amend the Statutes of Ontario with respect to the provision of services to the public, the administration of government programs and the management of government resources / Projet de loi 175, Loi modifiant les Lois de l'Ontario en ce qui a trait à la fourniture de services au public, à l'administration des programmes gouvernementaux et à la gestion des ressources gouvernementales.

The Deputy Speaker (Mr Gilles E. Morin): Minister, do you wish to make a statement?

Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues): Yes, Mr Speaker. Today I have the pleasure of introducing for first reading a Statute Law Amendment Act (Government Management and Services), 1994. As the act implies, the act amends a number of statutes to increase the efficiency of the management of public resources by the government and to improve the services that the government provides to its clients, the people of Ontario. The matters included in the act have come from diverse sources, including many recommendations of the government's clients and proposals from experts in the public sector.

Our government expects the measures in this bill to save time and money both for the public and for itself. I invite the House to give timely passage to this bill.

YOUNG MEN'S CHRISTIAN ASSOCIATION OF CAMBRIDGE ACT, 1994

On motion by Mr Cooper, the following bill was given first reading:

Bill Pr120, An Act respecting the Young Men's Christian Association of Cambridge.

1550

ORDERS OF THE DAY
EQUALITY RIGHTS STATUTE LAW
AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT DES LOIS
EN CE QUI CONCERNE LES DROITS À L'ÉGALITÉ

Resuming the adjourned debate on the motion for second reading of Bill 167, An Act to amend Ontario Statutes to provide for the equal treatment of persons in spousal relationships / *Projet de loi 167, Loi modifiant des lois de l'Ontario afin de prévoir le traitement égal des personnes vivant dans une union entre conjoints.*

The Deputy Speaker (Mr Gilles E. Morin): I believe the member for York East was the last one to debate the issue.

Mr Gary Malkowski (York East): I'm pleased to continue this debate. What I'd like to start off with is reminding people of Martin Luther King and his struggle with the issues of black people in the United States and their struggle for equality, also people like Agnes Macphail and her struggle for pension reform and pay equity for women.

Today we're looking at another struggle. The gay and lesbian community has struggled long and hard to bring this issue to the House today. I want people to remember that this is a human rights issue with a very long history, and we have to take a look at that pattern. What is it? I see this as a pattern of fear, fear of the unknown: white men being afraid of black people taking their place in society, men being afraid of having women have equal rights, and now we're seeing people afraid to let gay and lesbian people take their place and have their right to equality.

I'd like to parallel this also in terms of fear of people who are different. I know that there was a time when deaf people too were not allowed to adopt children. Deaf people who were intelligent, healthy people were told that they could not adopt children. Finally there was recognition that deaf couples were good parents, that they could adopt kids just like people who have hearing.

This to me is a parallel. We now see gay and lesbian couples fighting for the same rights. I think all of us have to realize that the Ontario Human Rights Code allows any gay or lesbian individual to adopt a child; now we're simply looking at this as couples. It includes investigation then of both people's backgrounds. Without this legislation, if one individual wishes to adopt a child, you're not even looking at this person's partner and seeing that we have to be responsible for checking the backgrounds of both members of that family. This is actually a very critical issue.

We also have to look at studies such as Dr Gottman's, who is a well-known clinical psychologist. In one of her studies, she looked at heterosexual and gay and lesbian family relationships and saw that in fact children raised by gay and lesbian couples had absolutely no difference in terms of their social and emotional development. Also, Charlotte Patterson, who did another study looking at children who were raised by heterosexual parents versus children raised by gay and lesbian parents, again saw that

social and emotional development was in no way detrimentally affected for those who were raised by gay and lesbian couples.

We have to also remember that the Ontario association of social workers has come out very strongly in supporting the right of gay and lesbian couples. This is an organization with a very large membership.

Another important point is to realize that this legislation is a challenge. It's a challenge to make sure that people who have the right to equality get that right. We should also look at the fact that many big businesses such as the Globe and Mail and the Toronto Sun are actually already in support of this type of legislation. They have realized that this is an issue of accountability, and also economically we all benefit because if, for example, people who have been involved in a long-term relationship are now allowed to have their pension given to the surviving member of that relationship, that person is no longer going to be dependent on society. Should they find the need to seek financial support, they will then have access to their partner's pension. This is economically reasonable.

Also, we have to realize that Ontario is seen as being a very tolerant, open-minded society. This is legislation that will include the right of all individuals and it is in fact something that is enshrined within the Canadian Constitution, in the Charter of Rights and Freedoms. This is very clearly an opportunity to put an end to discrimination.

In closing, I would like to remind all the members of this House that you yourselves have to remember that your own children, your own grandchildren, your own relatives may be members of the gay and lesbian community. What I'm asking you to do is to vote on legislation that will show your children, grandchildren and relatives that you have a positive attitude, that you accept these people for what they are. This is a very positive first step which will allow for positive self-esteem, opening many doors and showing young lesbian and gay people that they are accepted as equals in society, and increasing by a large measure the respect of all individuals.

I would like to thank very much the many members from my constituency who have called in, who have sent letters and have shown their support on this issue.

The Deputy Speaker: Questions or comments?

Mr Robert V. Callahan (Brampton South): I listened to the honourable member's speech the other day and today and I think that many of the speeches in this House fail to recognize the fact that this is not a human rights issue, this is a children's issue. I just want to give you a scenario. Let's say that the natural parent of a child took up a gay relationship and the natural parent of the child died. If this law is passed, it would give the gay partner a primary right over a blood relative. I suggest you look at that, and I'm sure if the Attorney General and her authorities look at it, she'll see that's the case.

1600

I suggest to you that one of the things we miss in this entire debate is the fact that we are really talking about children and what could or could not be the case of

children. I'm sure there are lots of fine gay people. Many people in the legal profession I've met were excellent lawyers, excellent friends. But I'm suggesting to you that what you're talking about here is far beyond what society itself is prepared to recognize. You're making a change with a swipe of the pen that will change the entire face of the Ontario community. I think you're doing it in such a way that without any previous looking into the question you're going to amend—what is it?—57 statutes by a single line in a particular piece of legislation. Minister, you've gone far too far.

One of the terrible things about this is that in the next election the Conservative Party is going to use this as a political jewel in its platform. They're going to drag these fine gay people, lesbians and gays, through the mud and it will all be a direct result of your bringing in a bill that could not possibly, I suggest not possibly, be accepted by this society or the people who are in this Legislature. By doing it, all you've done is fuel a bad atmosphere for these people, and they don't need it.

Mr Ted Arnott (Wellington): On a point of order, Mr Speaker: I'd like to ask the member to withdraw that offensive statement impugning motives.

Hon David Christopherson (Solicitor General and Minister of Correctional Services): Which one?

Mr Arnott: Yes, which one? He could withdraw the whole two-minute response, but particularly the one that imputes motives to the Conservative Party.

The Deputy Speaker: Unfortunately, I don't see anything unparliamentary in the statements I've heard in this House on many occasions. Further questions or comments?

Mr David Tilson (Dufferin-Peel): In response to the member's speech today and the previous day, I can only say, specifically dealing with employment benefits, that he has talked about the purpose of this legislation is to end discrimination. I must say I stand up in my place periodically, from time to time, when the government puts forward benefits that I don't understand, that are stopping employment in this province, and that's what this legislation is going to do. It's going to be a larger cost to employers and to others with respect to the economy. If I've followed the rationale of the government in expanding the definition of "spouse" with respect to employment benefits—you list off the pension benefit provisions, and there's a whole slew of statutes, the Corporations Act, the Courts of Justice Act, the Education Act, the Legislative Assembly Retirement Allowances Act, the Municipal Act, and on it goes—the problem is, why wouldn't you, the government, expand that whole issue of employment benefits to everyone?

I submit, member, that this bill is in itself discriminatory to others in this province, and I'm saying that if you're going to put forward legislation that's going to end discrimination, do it for all. Don't just pick one group. Do it for everyone. You haven't done that.

Interjection.

Mr Tilson: Well, you haven't done that. There are a whole slew of people who are being left out of the whole issue of benefits in this province whom you have not

included. I would submit that if you're going to put forward legislation to end discrimination with respect to benefits, then don't create more discriminatory legislation, and that's what you've done with this legislation.

Mr Kimble Sutherland (Oxford): I am pleased to respond in questions and comments to the comments by the member for York East. Let me say that I support this piece of legislation. One of the other members raised the question of adoption, that somehow adoption is not going to be in the best interests of the children.

Let's look at the laws in this province. The way adoption is conducted is that no one, not even heterosexuals, has a right to adopt. They have a right to apply. That's all we're changing in this legislation. For deciding, it still is what is in the children's best interests. It seems to me that the main criterion for deciding should be whether people are willing to make a commitment to provide a loving and nurturing environment that is going to allow that child to grow and develop, and develop a sense of self-worth and be a productive member of society. That should be the key criterion in deciding who gets to adopt.

In my view, a married couple could be qualified for that, a single person could be qualified for that, two brothers, two sisters, could be qualified for that, and certainly a same-sex couple can qualify for that if the criterion is, are people willing to make the commitment? Are they willing to make to the commitment to allow these children to grow and develop, and develop a sense of who they are and a sense of self-worth and be able to make a contribution to our society and community? That's really what the issue should be all about.

I definitely disagree with some of the arguments that have been made against adoption. I was deeply displeased by my colleague the member for Yorkview and his just awful comments that he made in the debate last week, but I ask people to really remember what is important: the best interests of the children and how we allow them to nurture and develop.

Mr John Sola (Mississauga East): In response to those last comments about what is in the best interests of the child, I have an article that I was just reading from Dr Joseph Berger, a Toronto psychiatrist, that appeared in the Toronto Star of June 3. The headline reads, "Adoption by Same-sex Couples Not in Children's Best Interests."

I just want to read some excerpts from it so that we can see what parts of the psychiatric community, at least, think about this issue. Why is adoption by same-sex couples not in the children's best interests?

"Because all the psychological understandings of the past hundred years have demonstrated to us that the best environment for a child to grow up in is a home with two parents, one of each sex, living together in a committed, loving relationship.

"Anything less is less than the best. The tragedies of parental death, separation, divorce or abandonment are unfortunate, and have to be coped with. But why deliberately put children by choice into a situation that is less than the best?"

That is one thing that he says. In a paragraph further on, he goes on to say:

"We all pick up the psychological identifications that lead to us becoming men and women, from our parents. If the parental picture becomes distorted, whether through the absence of one parent or the presence of two of the same sex, something is going to be missed, and that something cannot be replaced by visitors who remain a vague and peripheral presence in children's minds."

These predictions aren't accurate, but they are an indication that things may go wrong. Things are going wrong today when unforeseen events occur, so why would we deliberately put children in a position where things would go wrong?

The Deputy Speaker: The member for York East, you have two minutes to reply.

Mr Malkowski: I certainly appreciate the comments that have been made by the members for Brampton South, Dufferin-Peel, Oxford and Mississauga East, but I want to specifically respond to the comment from the member for Brampton South. I don't accept the patronizing point you made that said it's not in the best interests of the child. I find that patronizing.

I've got a letter here from a young child, 10 years old, who says:

"To all MPPs:

"My name is Jesse Giroux and I am 10 years old. I am writing this letter to ask you a favour. I am asking you with all my heart please vote yes on the same-sex rights bill. I live with two mothers. Please don't split this family up by voting no."

"Sincerely yours,

"Jesse Giroux."

This, to me, is a message, and a very powerful message, that is coming from a young child. How dare you say it is not a human rights issue? This is this child's human rights issue. This is a child's issue and it is a human rights issue.

1610

I'm going to say over and over again to the members in this House, all the members sitting here, are you willing to accept the challenge and vote yes to this legislation to raise the standards and show there is respect and tolerance in this province? Show some leadership in Ontario. Show the federal government, show the world, that we in fact do accept gay and lesbian people and are willing to give them their rights and allow these people to be seen as accepted members of society.

All the members here who have children, who will have grandchildren, who have relatives, think twice. You also may have people in your family who are members of these communities. Respect them. Think of respect and tolerance.

Interruption.

The Deputy Speaker: Further debate? The member for St George-St David, before you start, I would ask the members in the gallery not to show their emotions or any signs whatsoever. This is allowed only in the House. I would expect that you give us the cooperation we require.

Mr Tim Murphy (St George-St David): I have looked forward for quite a while to an opportunity to speak to this debate. I want to talk, essentially, about two things. One of them is to make the case for voting for the bill, which I have done on first reading and will do on second and, with luck, I hope to do on third as well. I also want to talk briefly about the process of getting here and about how we can move on.

To make the case for, I spent a lot of the last two weeks thinking about the issue that seems to be the crucible for many and the shoal which some have foundered upon, it seems to me, and that is this notion of a traditional family.

I've thought long and hard about that. I come from what you would call a traditional family. I suppose I'm a member of one. This weekend I spent with my wife and my child, and I thought, what is it about the family, that family, that makes it something that we as a society should treasure?

I thought, it's not the gender of the parents, but it's the relationship of love and caring, of nurturing, of sacrifice sometimes, that partners make for each other and parents make for children and children will make for parents. Those are the values that make that unit a strong and abiding one. Those are the values that we as legislators, that we as individuals, should encourage, support, advocate for. It seems to me a specious argument that those values, that that love, that caring, that nurturing, that sacrifice, cannot equally occur in a family which has two mothers or two fathers as they can in a family with a mother and a father.

I have met, in the course of my life and political life, many families where there are lesbian mothers or gay fathers who have a relationship that is the epitome of those values of love, of caring, of nurturing, of sacrifice, which we should encourage because they are providing an environment we should all applaud for the children being raised in that environment. They are giving, as we all would for our own children and hope our parents gave to us, to make the children's lives better, sacrificing for the children. I've seen it.

I guess, at the end of the day, I understand. I grew up in Barrie, Ontario. That's a community in which you would see expressed some of the views we're seeing expressed here on the concern about the issue of adoption, the concern about the issue of family. Yet it's from that community and from that upbringing that I draw the values that I say today can be applied as equally to a family made up of two fathers and two mothers as it can be to a family made up of a mother and a father.

But we also have to expand even what is the notion of the traditional family, because I think too about the people I've met in the course of the brief political time that I've had the pleasure of representing St George-St David, of many kinds of family relationships that have shown those characteristics and have survived.

I can think, for example, of one young man I saw who was raised in a traditional family and who, through difficulties, was rejected out of that family by his father, and is now living on his own in downtown Toronto on welfare but has managed, through his own courage and

skills, to do very well in school to become president of the student council.

We have seen many examples where parents have become divorced and the mother or father remarries and a child has a circumstance where she or he now has two parents who live in the house and the mother or father lives in a separate house. The child copes with that and in a loving and caring environment can adapt and has adapted quite successfully to that environment. That is not, I would suspect, what people argue for when they're arguing for the traditional family, yet time and time again we see that all across this province as a shape of a family we're living with. And single-parent families, like others, survive, do well, have those values.

So I reject an argument that says one type of family, one type of unit that has those values, cannot be acceptable. I think it can and it is, so I don't see the validity of that argument.

I understand that it has an emotional characteristic to it and in some cases a religious objection. I respect the differences of opinion, but I think we can make the case for it. In a reasonable and reasoned debate, we can make the case for it, that when we have a chance to talk to individuals, to talk to people, we can as legislators convince people that there are other valid ways.

I've been trying, too, to think about how that might have been done in a different way. It's an issue that troubles many who I think would call themselves small-l liberals yet it none the less troubles them. I'm sure all members have people who have come and talked to them and expressed their concerns, who say: "I support a law that extends rights and obligations to same-sex couples, but I have a problem with changing the definition of 'spouse,' changing the definition of 'family.' Help me through this."

I had a phone call today in my office. One woman in my riding who lives at St Clair was trying to help us find a way through it. She said, "What if we could designate the partner as the legal guardian?" I'm not saying that's the answer, but it's interesting to see that process of trying to work it out, how people are trying to say, "Can I find a way to protect what I view as traditional and yet grant equal rights and obligations?"

Whether it's a perfect answer or not, the government itself, ironically enough, did it in another piece of legislation altogether, which it will do a consequential amendment to if this bill passes: in the Consent to Treatment Act. AIDS Action Now and ACT came forward and made representations to that committee that the partners in same-sex couples needed to be able to provide the consent to treatment in hospital environments, and as a result the bill was amended to provide for a new category called "partner" who could provide a consent to treatment. It left what I guess I would call the traditional definition of "spouse" untouched.

1620

Whether that is a middle ground that Ontarians could accept, I don't know, but there are models there that perhaps we could talk about that could help convince people that there is a way to move this forward. I hope

we can do that and I hope we have that opportunity. I am speaking today to urge my colleagues in my party, even in the Conservative Party and obviously the diehards in the New Democratic Party as well to vote for it, because I think we can rise above the environment that has been created, unfortunately, by the way the debate has been joined over the past month and year, to lead by example of passing this bill on second reading and have the debate around the particulars of finding a way to make Ontarians accepting of this.

My concern is that the way the debate has gone to date has forced an all-or-nothing split that is pushing people to say yes or no. My concern is that the way the debate is going, too many people are saying no. My preference, obviously, is that they say yes, but I'm seeing it in my riding and in other ridings, even among some family members of mine who cherish tolerance but who, when pushed, are saying no. I mean, there have been quotes of various polls on this issue, but even on the issue of adoption we see that, when pushed, people are saying no. When you ask them, "Do you support the redefinition of 'spouse' to include gays and lesbians?" there is a predominance of yes in Metropolitan Toronto, for example. When adoption gets thrown in, it actually changes that variable, and that's unfortunate.

But I think if we can have an education and a process—perhaps it was a consent-to-treatment-like route that might have provided that alternative, where people could have accepted more easily the granting of equal rights and obligations in a way that was not felt so emotionally to attack their view of family.

I don't know if that's the right answer, but I think it is important to note that it's not just a question—because I hear this mentioned and I don't accept this argument either—of it being about special rights and a special-interest group. That is not what this is. This is a struggle for human rights. I disagree with my colleague and others who say it is not about human rights. It is about human rights.

We have recognized and accepted in this province since 1986 that people are entitled to protection from discrimination on the grounds of sexual orientation. I remember that debate. I remember very much that the same kind of arguments against that, in terms of the deterioration of the family, of the breakdown in social order, were made then as are made now.

Well, I haven't seen it. I think the evidence shows quite the opposite, and I think the same arguments that are being made now will be shown to be equally invalid by the experience. I go back again to the argument that says, "By granting special rights, you're hurting me." I go back and think about my family. I do not understand that argument at all. I've wrestled with it and I cannot understand it, how my family is in any way endangered by saying that a same-sex couple is a family. In fact, I think it ennobles my family to recognize those same virtues, those same values in another context. It adds the very values that we as a society should treasure. It recognizes them and nurtures them, and we should support that, because it is the right thing to do.

Sometimes we are called as legislators to decide

between what our constituents in a majority might tell us and what we believe to be the right thing to do. There are those who say, "You should listen always to your constituents." The debate has raged among legislators from time immemorial, from Edmund Burke to Winston Churchill, and I think that we have a responsibility as legislators to recognize and acknowledge the views of constituents but to not be led around by them when we believe that in the long run we can do the right thing.

I think this is an issue on which we can, in some ways perhaps, acknowledge the emotionality of the issue, the difficulty of the issue, but we can lead and we should lead. So I want to make it clear that I disagree with those who are going to vote against this bill. I disagree with the logic based on merely representing constituents, because I think we can rise above it, we can educate it, provided we find the language and the appropriate way of doing it. I hope that this debate can do that.

I listened on the first day of the debate to some of the debate that occurred and I was disappointed, because I thought that it was more a debate about partisan interests and sometimes low tactics than it was about the pith and substance of how we can as legislators get to the right answer on this. I understand and appreciate that there are people in this House who, for personal, philosophical, religious or other grounds, oppose this bill. I respect that. I respect their right to have those views, to express them and, frankly, to vote them.

But I have a problem with those who would use that difference for partisan reasons that would focus on a group, a set of people, and target them to further partisan ends. That I find unacceptable; that I think is homophobic; and that I will always decry.

It's a very difficult issue, I know, and all caucuses have dealt with this and debated it with difficulty. The split in my caucus is evident. The government has had to provide a free vote in its caucus to deal with it, and that's unfortunate.

I know that when I ran in the by-election what I said I would do was introduce a private member's bill to try and encourage the government to move forward on a commitment that was on its books, when the individuals in this House ran, as a part of the policy. I'd hoped, by virtue of introducing that bill, to encourage the government to move forward.

I do want in that context to pay, I hope, a personal tribute to the Attorney General, who I think is seen, and rightly so within her own caucus and by others outside, as a champion on this issue. For that, I think she deserves credit. She has, from what I understand, in any event, had to bring forward the issue three times to her own caucus and finally got it through on the third time, and deserves credit for that perseverance as well.

There are times when you have to be an advocate, sometimes in the situation where individuals even within your own party are opposing what you would like to do or are not as enthusiastic as you. I view my role as that. It is a more lonely role right now than the Attorney General's proved to be, but I will continue to play that role, to be an advocate. I did so by moving Bill 45.

1630

I think I acknowledged when I introduced it that it was not as much or as far as the government and the Coalition for Lesbian and Gay Rights in Ontario and others in my riding and elsewhere wanted, and I think I said at the time it was because my caucus and my leader did not want me to go further. I clearly did. I think it was recognized at the time, and I'm sure the Attorney General will remember that I said at the time that if the government introduced its own bill and went further, I would vote for it, and I'm glad to be able to do it and have the opportunity to do it.

I wish we had had this debate earlier, though, to be fair. I'm sure that's not the fault of the Attorney General, but I was thinking about the opportunities where we might have had this debate in a less politically charged environment and atmosphere.

I think it was perhaps in November 1990 when the government first committed to provide certain benefits to its own employees in the public sector. That might have been an opportunity to at least present something, even if it was a white paper, a draft bill, to begin the process of having the discussion in public in an environment where there were people who were proponents of it and prepared to defend it.

Perhaps it could have been in, I believe it was, 1992—I'm not sure of the month—with the Haig decision out of the Ontario Court of Appeal. That would have been an opportunity to say, "The Ontario Court of Appeal has recognized that it is unfair and inappropriate to discriminate against gays and lesbians." That could have been a good jumping-off point for a debate and frankly probably should have been.

Perhaps it would have been in the fall of 1992, when the Human Rights Commission ruled on Michael Leshner's pension application case and the government decided to accept the result. That might have been an opportunity then to engage the debate.

I think each of those opportunities was missed and I think it's unfortunate, because we've placed ourselves in an environment—and this I much regret—where the political calculus has governed more than the human rights calculus, and as a result—and I think Thomas Walkom's article on the weekend in the *Star*, unfortunately, has elements of an analysis that is accurate in it—it is forcing people to choose between yes and no.

I much regret that too many are choosing no, that there isn't room for a middle ground in this debate, despite the fact that I think Ontarians generally do see a middle ground and would like to see a middle ground in this debate, that there is a generosity of spirit in Ontario, there is a sense of tolerance that we can appeal to, that we can use. I had hoped and would hope that we could have done that.

I do want to note that I will continue to be an advocate in this bill within my caucus and with this issue in the future.

I'm not prepared to predict the result of second reading. My hope is that any efforts that are ongoing—the many efforts that are ongoing by CLGRO, Liberals

for Equality, many other groups within all parties—to convince members to vote for it will be successful. It will be on a vote-by-vote basis, but my hope is that at the end there will be enough.

I think it's interesting to note that in this issue people talk about the weight of public opinion. Well, it's very difficult in this environment for many gays and lesbians, in many different environments, to come out and lobby in support, because we as a society have in certain environments not shown a tolerance that I think we should. Yet despite that fact, I have received literally thousands of letters of support from individuals who are prepared to say, "I am in favour." It's also not just from gays and lesbians, it's from heterosexuals too who are saying that this is the right thing to do, because it is not special-interest groups seeking a special interest. It is about human rights, and all who are in favour of this recognize that.

We have heard over the past while about how some of the church groups have begun to organize against this. I think there are also many clergy and many churches who are in favour of this, who think it's the right thing to do, who think it is a matter of human rights. I was very pleased to see that well in excess of 200 clergy of various denominations signed a petition recently, and many more have added their names since then. A number have spoken to me personally and said, "This is the right thing to do."

There are some, I know, who have expressed concern with an organized campaign within a church against it. I am one who doesn't believe that we should limit debate and limit the opportunities for debate, but by the same token, that provides an opportunity for those who view that using the pulpit as a forum is somehow inappropriate. They also get the right to say that.

We have to think about what we're actually doing here. We are being asked to vote on a bill which in my view will do no more than this: make the laws of the province of Ontario consistent with the charter. That is actually not a courageous thing to do. It is nothing but complying with the supreme law of the land.

There are those, I know, who think that we are going too far, that this is too much, but I disagree. We have a charter that recognizes the basic humanity and human rights of all individuals and this bill is nothing but putting that into effect and into motion.

When I was thinking about making this speech and others who've made this speech, it felt a bit sometimes like the speech that Shylock makes in *The Merchant of Venice*. It has that sense of a crying out against injustice, of a crying out for a recognition that we are the same, that we are celebrating our common humanity and we should not be focusing on the differences, on isolating people. There is a really unfortunate element that it almost feels like it has to be that, that it is a cry for being treated equally. It shows how far we have to go to make our society open, tolerant and caring of gays and lesbians.

I think we have made great strides in a number of years. I'm sure that many members here and others will remember being in playgrounds when they were young where insults passed around in playgrounds were often

very hurtful and would include insults based on sexual orientation. We've all grown up from those times and have recognized that those are inappropriate, that they are hurtful. My hope is that we as a society and that we as legislators can also grow up from those same feelings as legislators and appeal to that same sense that said, "No, that was inappropriate," so that we can then vote in favour of this bill and say, "Not supporting gays and lesbians in this context is wrong, is against human rights."

I just want to very briefly talk about the riding of St George-St David. It has many members of the gay and lesbian community who are very supportive of this bill, and I am here to express their support—and their anger at those who are voting against it.

There are also other communities in my riding, much like many other ridings, which have a diversity of views on this. I've viewed it as my role to speak in favour of this bill to those other communities, to explain. I think after having discussions, people understand, people can come around, people will support it. Some won't, but most do. I think each of us as legislators in this House can do the same thing in our communities.

1640

I hope finally that this bill is not defeated, because I think there will be an enormous and unfortunate sense of betrayal by the gay and lesbian community at the promise that once was. I also am concerned about the backlash that might occur against the gay and lesbian community. I hope and appeal to the best instincts in all Ontarians, which I know are there, to not be involved in that.

Finally, I urge my colleagues in the Liberal Party to vote for this. I thank those many Liberals who have phoned me and encouraged me in the support that I am expressing for this bill. I hope that with them we can build a coalition within the Liberal Party in favour of this.

The Acting Speaker (Ms Margaret H. Harrington): We have time for questions or comments.

Mr Tilson: I'd like to comment on the member's speech. There's no question that this is his half-hour of glory. It is an issue that he ran on and I must say that I congratulate him for his courage. I don't agree with most of what he has said.

His leader of course took one position and has completely flip-flopped and even said, in Niagara-on-the-Lake over the weekend, that she wouldn't even allow—the wording from the Toronto Star was, "In fact, she said she would not even allow as Premier an MPP such as St George-St David Grit Tim Murphy—who has the largest gay and lesbian constituency of any riding in Canada—to push ahead with a private member's bill on same-sex equality rights." She has completely reversed her position, even on this.

Ms Dianne Poole (Eglinton): No, that is not what she said.

Mr Tilson: That's what the Toronto Star said. If the Toronto Star is wrong, that's fine, but that's what the Toronto Star has said and that's what a number of other pieces of the media have said.

One of the concerns I have with respect to this issue is the amount of data and statistics that I believe the Attorney General has an obligation to come forward with. If this bill passes second reading, I hope she will have that information available at the committee stage: legal opinions and administrative opinions with respect to this issue.

I go through many of the pieces of legislation and I believe that it's going to cost many of us more. It's going to cost taxpayers more. It's going to have a great economic effect on the people of this province. I have stood in my place and opposed many of the policies of this government that keep adding on to the obligations of employers and taxpayers to pay for things in this province. We have been taxed to death. Notwithstanding the civil liberties of this issue, the taxation is enough.

Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues): I want to rise to commend the member for St George-St David for what he has said today and to commend him for his continuing support for this legislation and indeed for the principle under very great difficulties. I extend to him the concern that we have around the position he has been put in by the changes that have happened in terms of his leader's position.

I would also say to the member that I agree with him that there ought to be some way in which we can find a consensus around language if all we're talking about is semantics. We as a government have indicated very clearly that we are prepared to do that. We would like to hear from the member what his suggestion is, what he is suggesting as a consensus around language in terms of definition. If we indeed can find language that he can deliver on in a way he has not been able to deliver on promises made in the past, then we would be more than happy to consider that language.

The issue remains, as he has stated, that no one is going to lose anything at all through the passage of this act. What we will do will be to enhance within this province the ability of individuals to maintain the safety and security of their families. It is not, as the member from the third party suggests, that this will add greatly to the cost.

This is something that is a basic human rights issue. The member for St George-St David is quite right. I'm sure that at the end of the day he, unlike many of his colleagues on that side, will be able to look himself in the mirror.

Mr Callahan: I rise again to speak to this matter. I got chastised the last time by members of the Conservative Party for saying that this will be dragged as a political issue through the election, dragging human beings through the mire.

Hon Gilles Pouliot (Minister of Transportation and Minister Responsible for Francophone Affairs): Was it Monday or Tuesday?

Mr Callahan: Well, I just heard from the member for Dufferin-Peel who alluded to it.

They keep talking about my leader's commitment. My leader's commitment was quite clear. It had nothing to do

with adoption and she's made it quite clear that she cannot take that extra step. Yet the Conservative Party continues to try to distort that issue. It's sad that in a debate of this magnitude about human beings, a party such as that long-standing party can stand there and play politics. In fact, the Attorney General just almost got into it as well. That offends me.

We're talking about human beings and their rights. We're talking about children's rights. Speaking of my colleague, I disagree with him. It is not a human rights issue. I've said that. It's a children's issue. In fact, what we're doing here is distorting it. I suggest to you, Madam Speaker, that the people of this province, who I think are fairminded people, understand that.

I might say as well that if you check my record and what I said when I voted for Bill 7 in this House, which was in fact a human rights issue for people of the gay and lesbian community—

Mr Jim Wiseman (Durham West): Let's not break up families.

The Acting Speaker: The member for Durham West, come to order.

Mr Callahan: They were being denied the right to accommodation to live in and to jobs. That was a human rights issue. I voted for it and I considered that to be a proper vote. But this vote, and I have to disagree with my colleague, is not one about human rights; it's about children's rights. I wish we'd put the emphasis on the children, which is where it should be. It's not being put there.

Unfortunately, what it's doing is just fuelling a big issue for the Conservatives during the next election. I'll tell you something: It's going to be a very unproud day to have to run in an election when that happens. It's going to happen and you know it's going to happen, because they say it every time they stand up.

Mr Rosario Marchese (Fort York): I want to congratulate the member for St George-St David for the position he has taken and the remarks he has made with respect to equality of rights for gays and lesbians.

I want to say on the issue of special rights to which he has spoken that I agree with his remarks. The gays and lesbians are asking for equal rights, not for special rights. They're asking for the same rights that are accorded to heterosexuals, that they be extended to gays and lesbians. They're asking that in the same way that we proffer on some individuals, based on their sexuality, rights and obligations, this apply to them as well. That is a human rights issue.

It is also children's rights, as the previous member speaks of. That's what gays and lesbians speak to as well. Not only is it a matter of human rights but it is also a matter of children's rights as it relates to gays and lesbians. Perhaps the previous member confuses the way in which he speaks about it, but yes, indeed, it is about children's rights as it relates to gays and lesbians.

On the whole issue of what Thomas Walkom said and whether or not this could have been debated earlier, I am not sure there's ever a good time. I'm not sure 1992 was a good time for this debate, or that with respect to the

Leshner case, once we've had that decision, that might have been the right time, or that you could have a debate where there is no yes or no to it.

This is a complicated issue. We've presented rights that extend beyond Bill 45, it is true, but we need to go this far. If there is language that can then be debated that maintains rights for gays and lesbians, I'm all prepared for that.

On the issue of the free vote to which the member spoke earlier, does he say, because I was confused, that we should have had a free vote on this side but that they should not have a free vote on that side, that Lyn McLeod's position should prevail with all the members? It would be interesting to hear his response to that.

1650

The Acting Speaker: The member's time has expired. Now the member for St George-St David has two minutes to respond.

Mr Murphy: I appreciate the comments of the various members in response.

To the member for Dufferin-Peel—I'm sure he's watching on television—I want to say that I know his source for that is the Toronto Star. I have checked with my own sources, and this is Bill Walker's first mistake. That is not in fact what Lyn McLeod said, and that story is inaccurate on that point.

I also reject the member for Dufferin-Peel's argument about cost. In fact, the Toronto Star, which was right on this subsequent issue, has quoted an economic study of a few weeks ago which said there will in essence be no cost impact, or little: one tenth of 1% of the benefits costs of payroll. So I just don't see that as an argument against this.

As to the member for London Centre, the Attorney General, I heard her comments at the Metropolitan Community Church yesterday in which she made reference to the civil rights debate in the United States in saying that sometimes defeats lay the ground for future victories, in reference to this bill. I guess my view is that successes lay a much better ground for future successes, and that perhaps a bill that could have garnered more support in this House, a majority support in this House, might have been a way to build for future successes. That was my hope for what I'd see, and maybe we'll still see it and maybe it won't be a defeat. I hope so.

As to the member for Fort York, he says there is no good time to debate this issue. I think an earlier time would have been better, and the opportunities were there.

The Acting Speaker: The member's time has expired.

Mr Murphy: My time is up. I could go on, and I'm sure I will in other circumstances.

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): Madam Speaker, I have a point of order: I just want to point out that—I don't know if this is actually a point of order or personal privilege—that was clearly not Bill Walker's first mistake. I just want to put that on the record.

The Acting Speaker: That is not a point of order. Further debate?

Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs): I'm pleased to rise to speak to this bill. I believe there has been one other member, from the Liberal caucus, who is from a rural riding who spoke on this bill. I'm pleased to rise on this side of the House as the first rural member to speak to this bill.

I would like to address primarily four areas. I want to talk about the rural-urban nature of this issue; I want to talk a few minutes about the religious nature of this issue; I want to talk about the who of this issue and to put a human face on this issue for everyone; and finally, I want to talk to the politics of this issue, which is what many people are dwelling on.

First of all, I want you to know that I will be supporting this bill. I think people should know that a year ago, or perhaps even six months ago, that might have been different. The government decided to introduce this bill. I've spent some time doing my own research, my own reading and becoming familiar with this issue. I have come to the conclusion that this is a human rights issue, that this is an issue that deserves the support of all people in this House and of all people in this province.

Many people early on—I met with the clergy in my riding before this bill was even introduced—talked to me about the fact that this was really an urban issue and that as a rural member I shouldn't be supporting this. I listened to their debate; I listened to their point of view. They saw this very much as a religious matter, as a moral issue. Since having met with them and talking to many other people, I've decided that it's not a religious issue and it's not an urban issue.

There's a lot of pressure on people, gay and lesbian, when they reach puberty, when they reach their teens and into their 20s, a tremendous amount of pressure in rural Ontario, and perhaps in urban Ontario, to act and pretend that they're heterosexual. Many gays and lesbians in fact get married because of societal pressure; some even have children. But later on in life, the marriages of many of these people who have a different sexual orientation fall apart, for obvious reasons. There are children who are left over from these marriages who end up in a different kind of relationship. Very often these people refer to themselves as being in the closet, and I think the people who oppose this bill should consider what they're doing to other human beings when they continue to be part of a society that puts pressure on people to go on living in a closet.

When that pressure is so great that people will get married and have children even though it's not what they feel inside that they should do, but the pressure of society and of their family leads them to do that, to be like others, to conform, when that's not their orientation or that's not what they really would like to do, surely we, as the legislative body of this province, should step forward and provide equal opportunity and try to change the attitude of society towards people who have needs towards same-sex partners. This is clearly about equality, it's about rights and about benefits and it overlaps in rural areas and urban areas.

Perhaps in the past, the reason this was not an issue in rural Ontario is because gays and lesbians leave rural

Ontario and move to the city where there is less visibility, where they are not noticed as much. There's a lot of hurt and a lot of pain for the people who have to leave their communities and for the families who see their children leave home for that reason. I've talked to such people from rural Ontario and indeed from northern Ontario who have seen their sons and daughters move to Toronto where they could maintain a lifestyle that was consistent with the way they felt. Those families will be proud and feel good if this legislation passes and those people finally, over a period of time, can return home and feel they are part of a compassionate society.

I've received many calls and letters on both sides of this issue. When this bill was first introduced, I expected that in my riding I probably would only receive letters in opposition, but that's not true. I've received calls and letters of support and opposition, and indeed I've received letters from farmers—which was a surprise to me, but it's true—saying, "Please support this bill." That's why I've come to the conclusion that this is truly about equality and human rights and it's not an urban issue and it deserves the support of rural members as well.

On the religious front, many people are saying this is a religious matter. They quote scriptures to indicate reasons why same-sex benefits should not be provided or rights of same-sex couples should not be provided. Very often, they pick out one passage or another to quote and say that means we should not do this as a government. But if we look at religions, Christianity and others, you can always find a line or phrase that suits your own needs. Whether you're in favour of exploitation or whatever your pet niche is, very often you can find something in the scriptures to satisfy your needs. We know there are religious groups in this province and this world that do not allow their loved ones to have blood transfusions and they say that's because of the scriptures. Here today we have people telling us that providing same-sex benefits should not be allowed because it says so in the scriptures. There are many other lines and many other quotes we could bring forward to suggest that being humane, being fair, is a much more dignified goal than the few lines that are brought forward by some people who want to hide behind a religious cloak in opposing this legislation.

1700

If we had lived in the southern United States in the early 1800s, I'm sure there were many churches and very religious people in the southern US who had several slaves they went home to after church on Sunday. They believed they were doing the work of God and that they were good Christians, very religious people, yet they maintained a system of slavery, which is clearly abuse of another human being.

We have progressed beyond that stage in our history, but we're at a point now where we have an opportunity to take one more step for humankind. In terms of the religious aspect of this, this is not a black and white issue. To date, 370 religious leaders have come forward in support of this bill and 126 different municipalities across the province have sent in letters to say they support this bill. In fact, many of them have endorsed this

because they are providing same-sex benefits to their employees.

This is not a religious issue either. This is not about morality. One thing I want to make clear: This is not about marriage. The word "marriage" is not part of this bill. This is not about promotion of a lifestyle. Marriage and lifestyle are issues that clearly can be left to the churches of this province and not something we are attempting to legislate under this bill. This is about human rights. This is about equality.

The other point I would make under religion is that when I grew up as a child and attended church and Sunday school on a regular basis, I believed we had a loving God, who loved all people and wanted us to treat everyone equally. We have lived in a society that for a long time has not treated gays and lesbians as equals. They've been discriminated against for a long time, which goes back to my earlier point, that people who are gay and lesbian very often live in a closet. I think those people who want to talk about or hide behind this as a religious issue should look at other passages of the scriptures and think about their God, their Supreme Being, as a loving person who would like us to treat everyone equally and not continue discrimination.

Let me go on to my third point, to try and put a human face on this issue and talk about some of the people who are affected. If we cast our thoughts back to the by-election in Victoria-Haliburton, we heard from the Conservative Party that this concept was a cost which was going to be an enormous burden on business, especially on small business. That's not true. Since the bill has been introduced, we have had a number of businesses come forward, more than 20 businesses that already provide the benefits being proposed in this bill. Business leaders have said that this will not add any cost. They take this issue for granted. Those people who continue to talk about this being a cost and a burden on business are not listening to what business leaders are saying, because business leaders are saying this is not going to add a cost.

The only way this could be a saving is if employers went out and deliberately only hired single people, refused to hire people who were married in a heterosexual relationship, or any other relationship for that matter, and that's not true. This is not about dollars and cents. This is not about business. This is about equality.

There are many people over the years who would clearly be identified as a gay or lesbian person. In doing my research and looking at this issue, I looked at some books, publications on this matter. I was somewhat surprised by the likes of the people. In this case, they're all deceased. I decided not to name living, existing people. The list includes many people who are known to everyone: people like Plato, Alexander the Great, Lord Byron, Leonardo da Vinci, Michelangelo, Frederick the Great, Gertrude Stein, Andy Warhol, Walt Whitman, Tchaikovsky and Virginia Woolf. Those are just a few of the people that I found who would clearly be identified as gay or lesbian. I could go on, but I won't take the time to do that.

Continuing to want to put a human face on this issue,

I have a couple of letters and a couple of notes. One is from a 10-year-old who lives with her mother and her mother's partner. I asked her to write some notes about her family, her family unit as it exists. There's been a lot of talk in this Legislature about what is a family and what isn't, traditional and non-traditional, and people trying to put all kinds of spins on it. This is a 10-year-old in her own words who wrote both sides of the page, and I will just take some of the quotes.

She first of all says: "Some of my friends have a mom and a dad, and some have just a mom. I don't think a family needs a mom and a dad. I like my family. My parents"—and she has crossed out the word "moms" and inserted "parents"—"aren't the exact same. My mom likes music, and" her partner—and I've substituted those words—"likes sports. They are both very responsible with me. They are very caring with me. They won't let me go somewhere without telling them where I am going. They have taught me right from wrong."

On the other side, I picked out one sentence, because she's clearly aware of the kind of relationship, the kind of family that she lives in, and she even knows the word "lesbian," which surprised me. She says, "I don't think that living with lesbians will make me a lesbian when I grow up."

Further on, commenting on this issue, she has some understanding, and she says: "It's sort of like treating blacks different from whites in South Africa. Just because they are different doesn't mean they are bad people." Those are quotes from a 10-year-old.

As I sit in my seat today, I received a letter, a letter which, indications are, is from an employee of my ministry. It's over two and a half pages, and I'm not going to read it, but there are a couple of passages that I think are important to put on the record. He starts out by saying that he is an employee of this ministry and that he's writing as a gay man. I want to pick out some of the quotations here. He says:

"I am a responsible person; I am a taxpayer; I am a loving son; I am an uncle; I am a good friend; I am a person.

"Yet, to many in this province I am not any of these things. All that I am, all the good acts I may do, all the accomplishments I achieve are invalid because of my sexuality. My character and my principles are discounted by the very fact that I am gay. Can you picture a life where every day in some way or another you are reminded that you are a social outcast?"

Later on he talks to the issue that has been raised in this House about the benefits and about concerns around access when your partner is in the hospital and where family members only are allowed in. He says:

"Imagine, if you can, that your spouse, your life partner is denied the right to visit you in the hospital after your accident because she is not your 'family' member. Imagine that if one of you were to pass on that you had no legal right to each other's pension, inheritance or property. Imagine that life-and-death decisions could not be made by the person you love and have shared your life with."

1710

This letter goes on. I'm not going to read it all, but there's one more line I would like to read. It says, "I look forward to the day in the not-too-distant future where I can live my life completely—not the one I live now partially hidden in shadow."

Then, the final sad part of this letter is the fact that it's signed with an X. In this day and age, surely people could come out of the closet enough to be able to sign a letter to their employer, to their boss, and not feel that kind of insecurity. Surely the time has come for us to move forward.

Finally, I want to talk for a few minutes about the politics of this issue. It seems that this now has become a political issue rather than an issue of human rights and treating others equally. We have the opposition parties, and some of our own caucus, for that matter, but from the Conservative Party the member for Willowdale the other day talked about the free vote in the Conservative caucus and that the free vote meant that in this case they would all be voting against this bill.

That is unfortunate, because in this House all of the members sooner or later will be touched by this issue. They will have family, children, uncles, aunts, perhaps grandchildren who may be or are gay or lesbian. Members should not forget that. This is not an issue that will go away. This will and does affect everyone. In fact, I've found in my experience that some of the people who have relatives, family members who are gay or lesbian, are the most outspoken against equal rights. I don't understand this, but those people who will vote against this issue should remember what they're doing because their family—son, daughter—could be gay or lesbian, and they can never take back their vote.

The Liberal official position is somewhat strange. In the St George-St David by-election, the Liberal position was very clear. They wanted us to come forward quickly with legislation, and the quicker the better. It seems now that has changed. I hoped and I still hope, because I believe that the Liberals, and especially the member for St George-St David, who spoke so eloquently earlier today, could bring forward some amendments, some ideas, some compromises so that we could deal with this bill so that it would pass. I certainly would be very interested in hearing suggestions on the adoption issue, because I think there certainly is room to find some compromise, some language or, in the formal sense, some amendments that would make this acceptable to more people.

The one area of adoption I would like to touch on, though, is when there are existing children. The people who speak out about being opposed to adoption on this issue like to create the impression that gay couples will go down to the store, where they will adopt a child, as if they would pick the child off the shelf. These are the kinds of words and views, the kinds of hate literature and bigotry, that come from the opponents.

That's not the way it is. That's not the way it is now for heterosexual couples. Children's aid societies and other adoption agencies screen prospective parents very carefully. It's very difficult to adopt a child who is not a relative of yours.

Clearly the adoption issue needs to be clarified. There's a lot of education that needs to be done on this issue. People have been deliberately, in my view, misleading others when it comes to the adoption side of this bill.

However, on the side of an existing child, I happen to believe very strongly that when there is an existing child, in most cases with their mother, her partner should have a right to adoption so that when any medical difficulties or any legal decisions need to be made, that partner would be the one who could make the decisions. I read some quotes from a 10-year-old earlier who alludes to that a little bit: If anything happened to her mother, who would make decisions for her.

If you're really interested in the child, as the member across the way talked about and talks about quite often, as this being something about children, you should take note of that fact and be interested in the children and not simply in politics. I believe strongly that if we're going to amend the adoption section of this, which I think would be a useful exercise to do, I would maintain that we must preserve the right for partners to adopt existing children.

A couple of final things: There have been a lot of letters to editors, there have been some speeches in this House even, which quote some of the hate literature which in many cases comes from the United States. I would urge all members of this House and the public, before they start quoting some of the publications that come out of the United States, to take a look at what they're saying and what they're writing, because some of it is very borderline.

Finally, to wrap up, and putting this in plain language, what this bill is all about, this bill, simply put, provides same-sex couples with the same—and I emphasize the word "same"—not more rights and benefits than heterosexuals who are living in common-law relationships. That's what it does.

Finally, in 1863 in North America we had the emancipation address which freed the slaves in the southern United States. That was in 1863. In 1917 in this province we had a debate in this House and we decided to treat women the same as men and we allowed them to vote in Ontario for the first time. The rest of the country saw the wisdom of that and they gave women the right to vote in Canada in 1918. Lo and behold, in 1920 we decided that native Indians, our first peoples, would be given the right to vote, that they would be treated the same as the rest. Finally, in 1955, not so long ago, in the province of Ontario, we decided that native Indians would have a vote here in this province, that they would be treated the same as others. In 1994 the people in South Africa decided that apartheid would go and blacks would be treated the same and would have a vote and that would reflect democracy.

1720

So I believe that 1994 is the year in Ontario we should pass the bill that provides people of the same sexual orientation the same benefits and the same rights as other people.

The Acting Speaker: Now we have time for questions or comments to the member.

Mr Chris Stockwell (Etobicoke West): It's probably the best speech I've heard the minister make in this Legislature. It's one of the few times, actually, that I've heard him stand in his place. It was very compelling, some of his points of view. Others I think were a little less compelling. I would suggest I strongly disagree.

Let me first make comment on the consultation part. This consultation process you went through with this piece of legislation is rather similar to all your consultation. As the president of the small business council said, consultation that consists of talking to the NDP is much like talking to trees. There isn't consultation.

I guess the consultation part that I don't understand is, if you were truly interested in incorporating a piece of legislation that could buy in enough votes to pass it, why wasn't there consultation? Why did you not put this piece of legislation before the parties in opposition and maybe they could have found places to support it? Yes, there probably would be sections that would not be supportable. Then you could go away and determine whether or not you wanted to bring in a piece of legislation that you saw fit, or whether you wanted to go with some kind of compromise. You weren't giving that offer.

Now, don't tell me on second reading you're going to make that offer, because the only way you can do it is by saying, "Look, we'll make amendments if you pass it on second reading." Quite frankly, on this side of the Legislature, the trust factor is minimal.

To put it further, you want to talk about a free vote. Yes, all 22 Conservatives oppose this, and the 22 Conservatives had a free vote. Whether you like it or not, it was a free vote, and I can tell you, as a member of this party, I've stood in this Legislature and opposed this party's position on a number of issues and voted against it. So there were free votes.

Finally, I might add this point: Your party suggested it was a free vote. It was your leader who said, "If you vote against this legislation, I won't go to your riding during the election," so how free is that? With all due respect to the minister, I think the Premier got it backwards. I think what he should have said is, "If you vote against this piece of legislation, I will show up in your riding during the election."

Ms Christel Haeck (St Catharines-Brock): I know there are some other members of our caucus who want to make some remarks commending the Minister of Agriculture and Food for his remarks, because in listening to—

Hon Mr Buchanan: And Rural Affairs.

Ms Haeck: I'm sorry. It is an extremely important point, the Minister of Agriculture and Food and Rural Affairs, and definitely my riding appreciates your ongoing commitment to that issue. But in listening to his remarks, over the weekend I again was asked by my constituents why I support this bill, and his remarks really brought it back again, and that is, when I look at the people who are in the members' galleries, some of whom I know—and I said to a constituent, "Those people who I know, how could I look those people in the eye, to

say to them that they are not equal to me, that they are not able to receive the same rights and benefits and responsibilities as I do?"

It has to be personalized; it has to be said in the clearest of terms that we are all equal. All of the citizens of this province, all of the taxpayers of this province, have to have the same rights, responsibilities and obligations. I would put forward to the member for Etobicoke West that I'm not sure how he, in himself, can stand in this House and say that his rights are above those of someone else. I would challenge him to really think about this, to seriously think about how he can put his rights, privileges and obligations above those of someone else.

I think the time is now. It has been far too long, but the time is now.

Ms Poole: I will be very brief. I just wanted to commend the member for Hastings-Peterborough on a very thoughtful, sensitive speech, and I am particularly delighted that he highlighted the need to protect our children.

It is perhaps one of the ironies of this whole debate that on both sides people are talking about the protection of children. But I think in a very sensitive way he pointed out that in many cases children are already existing in families where there are same-sex couples, and those children do not have protection. Those children can be taunted at school, they can be harassed, they can be made to feel like an outsider because their moms or their dads aren't the same as everybody else's. In the event that their mom's or their dad's partner dies, that child does not have the protection of being able to legally stay with the mom or dad whom they've known for many years. I believe, as the member for Hastings-Peterborough has said, that one reason every member of this House should be voting in favour of Bill 167 is because it does provide protection for our children.

The Acting Speaker: We have time for one more question or comment.

Mr Tilson: With respect to the comments made by the minister, we have now had another minister who has stood in his place and said that this legislation will have no effect or very little effect on the economics of this province, whether through taxes or, I suppose, individuals. I suggest he look through some of the 54 pieces of legislation and draw his attention as to whether this bill will affect the economy of this province.

For example, with respect to employment benefits, the Education Act allows school boards to provide group and life insurance to employees and their spouses, and of course the definition of "spouse" will be expanded. It may have a nominal effect, I'll grant you that, but when you add up all these things, it may have a substantial effect. I'm waiting for the cabinet to come forward with some stats that indicate to us the actual economic effect on all of us, whether through taxes or individually.

In the Insurance Act, a spouse is included as a person insured under an automobile insurance contract and entitled to statutory benefits. Spouses have an insurable interest in the life and wellbeing of their spouses. That's what the law is now, and of course the definition of

"spouse" is going to be expanded. To me, common sense tells me that means that premiums are going to increase if that's what the definition is going to include.

The whole issue of the Municipal Act permits municipal councils to pass bylaws regarding the provision of accident and hospitalization insurance for employees, and the provision of gratuities to firefighters and their surviving spouses. Again that is going to expand the cost to the property taxpayer.

You add that with respect to the Workers' Compensation Act, which provides compensation to the surviving spouses of workers who die from work injuries.

Again, if you expand the definition of "spouse," all these acts collectively will have an effect on the economy and the taxation of this province. I suggest you look at that before you pass this bill.

The Acting Speaker: The member for Peterborough-Hastings has two minutes to respond.

Hon Mr Buchanan: First of all, in response to the member for Dufferin-Peel talking about his hypothetical board of education employee who may be in a same-sex relationship, and he wants to know what this is going to cost in terms of extending benefits, what happens if that same person gets married into a heterosexual relationship? They will extend family benefits automatically. If he would explain to me what the difference should be between that and a same-sex relationship, I would be willing to give him a little more time and listen to his point, but I don't think he can make that distinction.

A couple of other things: The member for Eglinton I think quite rightly points out that this is a children's issue. I'm told there are 200,000 children in this province currently living in these kinds of relationships, in same-sex relationships, who are not necessarily protected if something should happen to their biological parent. Clearly, in most cases they're in loving homes with loving parents.

The other point I would make about children, as I listened to the member for Eglinton, is that children's aid societies in this province go around quite often and take children away from parents, and quite often it's heterosexual parents who are abusing those children. Let's not make this a black and white issue about heterosexual versus homosexual relationships. For goodness' sake, let's open our eyes and be honest about what we're talking about.

Another thing: I noticed in my research a national Gallup poll that the member from across the way would be interested in. It showed that of people under 40, 40% of those who were polled believe—get this, Madam Speaker—that same-sex marriages are okay. That's not what this bill is about, but they believe that would be okay.

Those members across the way who think that by voting against this issue the issue will go away have got their heads clearly buried in the sand. This issue will not go away if they vote against it.

1730

The Acting Speaker: Further debate?

Ms Poole: Normally at this time I would rise and say,

"I am pleased to enter into this debate." Today it is more appropriate to say, "I am compelled to enter into this debate."

The debate of Bill 167 has been emotional, passionate and has gone to the very heart of what people believe in. The debate has often been bitter, acrimonious and divisive. It has divided churches, generations, urban and rural constituencies and political parties. It has been extremely polarized, with those on one hand believing it to be an issue of human rights and those on the other side believing it is an attack on traditional values.

It comes down to one fundamental question: Are we ready to accept changes which will allow homosexuals to be fully included in every facet of our society? It has become painfully obvious that there is no consensus on this issue. I believe it is a matter of human rights, of treating all people fairly and equally. It is not a matter of special rights; it is a matter of the same rights for every citizen of this province.

First, let's take a look at exactly what this legislation does. It allows same-sex couples to have the same employment, property, inheritance and support rights, benefits and obligations as are currently enjoyed by common-law couples. It allows same-sex couples the same right to apply to adopt as common-law couples already have and as individual gays and lesbians already have under existing law.

There are three areas of contention I wish to address today: whether Bill 167 constitutes a threat to the traditional family, what changes would be made to the institution of marriage through the redefinition of "spouse," and finally, adoption.

When looking at whether this legislation is an attack on the stability of the traditional family, I speak with some degree of personal experience. I grew up in a small town in northern Ontario called Matheson, and the member for Cochrane South is very well aware of my small town called Matheson. Our traditional family consisted of a mom and a dad and a son and three daughters. We didn't have much money, but what we did have was a strong sense of family. My brother and sisters and I grew up secure in the fact that our family would always provide unconditional love, mutual support and a total commitment to one another.

We regularly attended church, learned to respect other people's views and opinions, and believed in the ethic that hard work would lead to success and that education was the key to opportunity. We didn't always agree with one another's opinions, but we always believed people had the right to express different opinions and be treated with respect.

Today I am fortunate to be part of the same type of traditional family that I grew up with. My husband and I have been married happily for 20 years and we have two wonderful children, Scott, who is 18, and Kathleen, who is 16. Our children have had different life experiences than I had when I grew up, but the most important principles remain the same: Our family is a source of unconditional love, mutual support and total commitment to one another.

I ask this question in the House today: Why should anyone be denied the right to call themselves a family simply because their sexual orientation is different? Should we not be encouraging their right to unconditional love, mutual support and commitment to one another, not telling them that there is no room for them at the inn, that they have no right to be a family because they are different? I find it deeply ironic that because gays and lesbians want to share our values, they have been accused of destroying our values.

The second contentious point in Bill 167 which I will address is the impact on the institution of marriage. I will deal with this aspect briefly, clearly and emphatically. Bill 167 does not redefine or impact on the institution of marriage. All the special rights and responsibilities attached to marriage are preserved. Marriage is still a distinct category in this bill. Only the federal government can change marriage laws.

The controversy rages over the redefinition of the word "spouse." I find this particularly ironic, given the fact that 10 years ago "spouse" wasn't even a word that was commonly used by people and yet today there is much emotion attached to it.

The final issue is one I believe is the most contentious, that of adoption. Let us be perfectly clear here: Nobody under current legislation or under Bill 167 has the right to adopt. People have a right to apply to adopt. This is a very important distinction.

Mr Speaker—Madam Speaker; I apologize again. I wrote this speech at 3 o'clock in the morning and I thought there would be a Mr Speaker there, I must say. Unfortunately, at the time it was handwritten because my son was up doing an all-nighter and said that he had the 3-to-6 shift.

Madam Speaker, I will say up front that I could not support any legislation which I believed would harm children or leave children unprotected. To me, this always has to be the paramount duty of this Legislature, the protection of our children. Yet, as I mentioned in my response to the remarks from the member for Hastings-Peterborough, another irony in this debate is that both sides on the adoption issue firmly believe they are protecting children by their stand.

On the one hand, people believe that if same-sex couples are allowed to adopt, they will teach children values that are harmful. On the other side, those who believe same-sex couples should be allowed to adopt believe that protection and security are simply being extended to children who are already in existing situations.

There are a number of important considerations I would ask you to think about when it comes to adoption by same-sex couples.

First of all, if you look in the Child and Family Services Act and refer to section 136 of part VII, you will see that it provides under existing legislation that the paramount consideration in any adoption is always—always—the best interests of the child. It also outlines very specifically what factors must be considered when determining the best interests of the child.

Secondly, for every adoption in Ontario, whether by a related party or not, whether by a heterosexual couple or not, there is a requirement for a home study to be conducted by a qualified social worker. The home study is extensive and a major factor in determining whether the placement is in the best interests of the child.

Thirdly, under existing legislation in Ontario, gays and lesbians already have the right to apply to adopt as individuals. So an individual gay or lesbian can adopt, but they can't adopt as couples. Does this discrepancy make any sense? I say no.

Finally, in the vast majority of instances we're talking about adoption of a natural child by one of the partners in a same-sex relationship. We are talking about an existing situation where right now the child is not protected if the natural parent dies.

There are a number of misconceptions which add to people's discomfort on the adoption issue: the idea, for instance—and this has not been said in this House but certainly there are people out there who believe this—that all paedophiles are homosexuals and that all homosexuals are paedophiles. That has no basis in fact. The evidence, to the contrary, is there is no higher incidence of paedophilia in the homosexual community than in the heterosexual community. In fact, recent evidence shows that there is even less incidence of paedophilia in the homosexual community than in the heterosexual community.

Secondly, there appears to be a concern that because they have a different sexual orientation, gays and lesbians cannot be kind, loving parents and role models. I categorically reject the validity of this assumption. The reason same-sex couples want to adopt is because they want to nurture. They want to provide a loving home for their partner's child. They want protection for that child in the event of their partner's death. They want to be part of a family.

Mr Speaker—Madam Speaker. I really apologize. I'm not used to reading from my prepared text.

Madam Speaker, when legislation goes to the heart of people's fundamental beliefs, it is not so surprising that they react with anger and, in some instances, threats. I have been told emphatically and a number of times that I will not be re-elected because of my stand on this issue. I do not believe this to be true. North Toronto is a community that is well known for its tolerance and acceptance of those who come from different cultures, different backgrounds and different life experiences. While it is true that many of my constituents may not see this as a human rights issue as I do, I have also had letters and phone calls of support from many others who do. If in the final analysis I am wrong, and if the voters of Eglinton feel my stand on this issue supersedes my work for them over the last seven years, well, I can live with that too because that is what is called democracy and the voters of my riding will have that choice to make.

1740

I've been told that this is not my battle, not my cause. In answer to why I consider this to be my battle, even though I am not a gay or lesbian, I would like to share

the words of Pastor Niemöller in Nazi Germany. I apologize if the quote isn't exact, but I'm recounting it from memory. Pastor Niemöller said:

"First they came to take away the communists, and I did nothing, because I was not a communist. Then they came to take away the gypsies, and I did nothing, because I was not a gypsy. Then they came to take away the homosexuals, and I did nothing, because I was not a homosexual. Then they came to take away the Jews, and I did nothing, because I was not a Jew. When they came to take me away, there was no one left to do anything."

I share Pastor Niemöller's words with you not to compare, and I emphasize not to compare, those who oppose Bill 167 to those who persecuted Jews and gays in Nazi Germany, but to tell you why I believe that each one of us in this Legislature must stand up for human rights, even for those who are different from us, perhaps especially for those who are different from us.

I refuse to call those who oppose this legislation intolerant, except for those who are clearly homophobic and believe homosexuals have no right to exist or participate in our society. This is not an issue to be seen only as tolerance versus intolerance, nor an issue of right versus wrong. It is an issue of acceptance. Some people are simply more ready than others to accept the full place and role of homosexuals in our society.

I compare it to the changing acceptance of the role and place of women. At the turn of the century the Election Act of the Dominion of Canada stated, "No woman, idiot, lunatic, or criminal shall vote." Yet today it is accepted, even by most of my colleagues, that women can not only vote but are an intrinsic part in the leadership of our society—and I wasn't referring to you.

Mr Steven W. Mahoney (Mississauga West): You better not have been.

Laughter.

Ms Poole: It is good to be able to laugh. I haven't heard a lot of laughter on this issue over the past weeks.

There are some who believe that homosexuals have a place in our society as long as they are willing to stay out of sight on the dark fringes. As a Liberal, I say, let us welcome them to share our family values and participate with us fully in our lives. Let us ensure they have the same rights, the same responsibilities, the same protections, as all people in Ontario. Let us welcome them into the sunshine. On Bill 167 we have the opportunity to do just that.

The Acting Speaker: I thank the member for Eglinton for her participation. Now we have time for questions or comments to the member.

Mr Gilles Bisson (Cochrane South): I would like to commend the member from, I would say, Matheson or the member for Eglinton for her comments in regard to this issue.

I think Ms Poole understands probably as well as I do the kind of sentiment that this issue sometimes raises in ridings such as mine up in northern Ontario. But the one thing that I've learned through this whole process, because it's been a learning process, is that really what this is all about is exactly what the member talked about:

It's a question of human rights. If we look at our history, I think we can reflect back and we can find all kinds of examples where people were being denied basic human rights in the name of somebody, in sort of the same vein as we're seeing in this particular debate. I'm not going to list them; I think everybody knows those examples.

The other thing I would like to talk about, because it is an issue that has been raised in the riding of Cochrane South, around the Matheson-Iroquois Falls-Timmins area, is the whole question of adoption. One of the comments that people raise with me, and I imagine they raise it with most members here, is that somehow, if gay and lesbian couples have the right to adoption, bad things will happen.

I would say, as the member said, that first of all nobody has the right to adoption; everybody has the right to apply. But the second notion, and one thing I've found, being a member over the last four years, is that I've had a number of people come into my constituency office for all kinds of different reasons, and I've had unfortunately—and I say “unfortunately” in the deepest sense—cases where young women and young boys have come to my office with problems where they have been sexually assaulted or molested. In all cases, I would say, they were not being molested by gay people; they were being molested by heterosexuals.

We need to put that into context. Somehow people have this idea that if people who are gay happen to raise a child, they have some other motive. We need to be very careful. I don't think we should be throwing stones from our own court, because I don't think the record has been exactly the strongest when it comes to that.

I'd like to thank the member for her comments and I appreciate her time in this debate.

Mr Mahoney: I also want to congratulate the member for one of the most balanced speeches I've heard on this particular issue. It may not come as a surprise that I'm opposed to the bill, but I want to say that I thought the examples used by the member were really quite excellent. I didn't hear the kinds of accusations that I've heard from other members in this place, accusations and references to South Africa, suggestions that if you're opposed to this bill, you're opposed to human rights and you're some kind of a bad person.

I heard a very thoughtful explanation from a member who took the time to go home and talk to her family, a traditional family as I know a traditional family, to talk to her husband and her kids. I know them as well on a personal basis and I can imagine it was quite an interesting conversation.

I can also imagine that the member, and I respect her courage, would have talked to people in her riding and on her executive who might not agree with exactly the position she has taken on this matter. In my 16 years in public life, I have found myself in a position from time to time where I simply had to take a position that was contrary to everybody around me, and that's extremely difficult. I respect the courage and the tenacity that the member for Eglinton shows in doing that.

I particularly want to thank her for raising the level of

the debate well above accusations of hatred or bigotry or those kinds of feelings, because I don't think to be against this bill equates with any of those things. I'll certainly be putting my reasons for voting against it on the record when the opportunity affords during this debate, but I did want to take the time to congratulate her on what I thought was really quite a marvellous speech.

Mr Larry O'Connor (Durham-York): I just want to stand in my place for a few moments. I heard the member for Eglinton talking about the child. One thing which as an MPP I haven't heard is that nobody has come to my constituency office in going on four years and said, “The adoption process is flawed so bad that children's protection isn't in place.”

Do you know what concerns me as we go through this debate? There's a lot of rhetoric in this and sometimes it gets quite hurtful and mean, but I think what shouldn't be overlooked is the right of a child to have somebody who is going to care, who is going to love, who is going to nurture them, who is going to spend the time with them. It doesn't matter whether that child is being brought up by a single person or by a family, but that they're cared for. Quite often, the children who are overlooked in the adoption process are the ones who have some challenges, the ones who may have some disabilities. Quite often families just overlook them and that's really unfortunate.

I think the balance that the member for Eglinton has put in here is that what we want to see is some protection for people. We want to see that the children are going to be looked at, and the rights of the children, so that they're brought up in a relationship of two people who care for them, two people who are going to make sure that they're given the best of advice—if it takes two people who are of the same sex, if they can do that—so that somebody isn't saying, “Your parents, the people who are raising you, don't fit the mould of parents and it's not good enough.” It's not a matter of us judging it but a matter of us providing protection for children and offering that care and love and protection.

1750

The Acting Speaker: We have time for one more question or comment to the member. The member for Middlesex. Oh, she would like to defer to the member for Riverside.

Hon Ms Churley: Riverdale, my dear Madam Speaker. I get quite defensive about that.

I want to congratulate as well the member for Eglinton for her comments today. If they were written at 3 in the morning, I congratulate her even further. I think she put into perspective some of the issues that kind of bogey people around here: the adoption issue and also, for me, the issue around the focus on people's sexuality as opposed to the kinds of things that the member raised, the nurturing and the other aspects to a relationship, other than the sexuality.

I don't mean to just speak for myself here, and I may be going out on a limb, but for people in long-term relationships, let's face it, the sexuality part often takes—and I'm not speaking for myself here—second or third or fourth place to other things that are going on in the

relationship over time. It's the friendship and it's the mutual support, be that financial or emotional—physical, yes, but the nurturing and financial support that people give each other in loving relationships.

It's a pretty cruel world out there. We as politicians in our ridings frequently see those people out there who have no support, who are alienated and isolated, have no family members; for whatever reasons, are on their own. I think even worse than poverty, in some cases, that's what breaks the spirit most, and those are often the people who are most dependent on the system. You talk about expense to the system to give same-sex spousal benefits. The expense to the system comes from those people, often, who don't have nurturing and love and support in their lives.

To me, it doesn't matter what the sexual orientation is. It's the love and support we give each other as family members.

The Acting Speaker: The member's time has expired. Now the member for Eglinton has two minutes to respond.

Ms Poole: First, I would like to thank the members for Cochrane South, Durham-York, Riverdale and Mississauga West for their very good comments. I would say to the member for Cochrane South that I still think I'm the member from Matheson. You can take the girl out of the small town but I'm not sure that you can ever take the small town out of the girl.

Mr Bisson: You're welcome back any time.

Ms Poole: Thank you.

I would say to the member for Mississauga West, who commended me for my courage and tenacity, that this was not surprising, when he termed me the "pit bull" in our caucus for my stand on market value. So he too is being consistent.

But seriously, I would like to say that the one thing that gives me great hope through this debate, whether this legislation passes or not, and I hope it does pass, is the attitude of our young people. I mentioned earlier that it was to a certain extent a generational gap. When I talk to my teenagers and I talk to their friends and I talk to my executive assistants, who are in their 20s and 30s, they have a very different attitude about this.

They say: "Of course. What is the big deal? They should have rights. They're people. They're human beings. They have emotions. They have a wish to be a family. Why shouldn't they be able to do this?" They look at things without the baggage that many of the others of us have learned to carry along the way. That, to me, is the great hope that we have.

I would just say to all members of this Legislature that this is not a matter of religion and morality, because we all have letters and petitions from people who are members of the church and from ministers. This is a matter of human rights, and I do hope that members of this Legislature will support Bill 167 and bring human rights to all members of society.

The Acting Speaker: We have a few minutes left for further debate. I recognize the member for London South.

Mr David Winninger (London South): I believe

there are only a few minutes left on the clock, but I'm happy to launch into my own speech in support of this legislation.

As you well know, the Charter of Rights and Freedoms is the cornerstone of our justice system and society in Canada. As the Constitution does in any country, it upholds principles of democracy, of fairness, of equality. In our own Charter of Rights and Freedoms, we have a section 15 that speaks to the principle that people who are similarly situated should be treated equally. They are equal before and under the law. There are occasionally exceptions made to that principle, under section 1, where a limit can be demonstrably justified in a free and democratic society.

When the Charter of Rights and Freedoms became the law of Canada in 1982, provincial governments were given three years to bring their legislation into line with the equality rights provisions of section 15 of the charter. In fact, this government, like many others, took advantage of those three years to tune up the provincial laws to ensure that they met the test under section 15 of the charter. Hence, an omnibus bill was introduced and passed in 1986 to deal with equality rights and to bring real meaning in provincial legislation to equality rights.

While a small step was taken forward at that time to ensure that sexual orientation was included in the Human Rights Code as a ground for discrimination, in fact a much bigger step was not taken to ensure that the rights of same-sex spousal couples were brought into line with the dictates of the Charter of Rights and Freedoms. So I'm quite pleased to see Bill 167 before this House, because I believe firmly that this bill finally addresses that void that has existed since the omnibus legislation of 1986. It finally brings a much-needed measure of social justice and equity to same-sex couples that the Legislature of the day in 1986 failed to address, and it does it, I believe, in a very fiscally responsible manner.

In fact, not only does this legislation confer certain rights and benefits on same-sex spouses that are currently enjoyed by opposite-sex common-law couples, it also confers upon the same-sex spousal couples obligations and responsibilities that are consistent with those obligations and responsibilities that are visited on common-law couples under other legislation, including the Family Law Act.

So while the legislation certainly affirms, as other speakers have indicated in the House, the fundamental human rights to which all of us, including gay and lesbian individuals, are entitled, at the same time it ensures that appropriate measures are taken to implement those rights in a very responsible way.

I note, Madam Speaker, that it's now approximately 6 of the clock, and perhaps I could defer my other comments to the continuation of this debate. I would move adjournment of this debate.

The Acting Speaker: I thank the member. Because it is 6 o'clock, we will adjourn this House until tomorrow at 1:30.

The House adjourned at 1759.

ERRATA

No.	Page	Column	Line	Should read:
136	6565	2	42	township of The Archipelago and representatives of the
137	6621	2	50	established same-sex relationships.”

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux: Alex D. McFedries

Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités: Deborah Deller

Sergeant at Arms/Sergent d'armes: Thomas Stelling

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Abel, Donald	Wentworth North/-Nord	ND	government whip / whip du gouvernement
Akande, Zanana L.	St Andrew-St Patrick	ND	parliamentary assistant to the Premier / adjointe parlementaire du premier ministre
Allen, Hon/L'hon Richard	Hamilton West/-Ouest	ND	Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce
Arnott, Ted	Wellington	PC	Vice-Chair, standing committee on estimates / Vice-Président du Comité permanent des budgets des dépenses
Beer, Charles	York-Mackenzie	L	Chair, standing committee on social development / Président du Comité permanent des affaires sociales
Bisson, Gilles	Cochrane South/-Sud	ND	parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs / adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones
Boyd, Hon/L'hon Marion	London Centre/-Centre	ND	Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
Bradley, James J.	St Catharines	L	opposition deputy House leader / chef parlementaire adjoint de l'opposition
Brown, Michael A.	Algoma-Manitoulin	L	Chair, standing committee on general government / Président du Comité permanent des affaires gouvernementales
Buchanan, Hon/L'hon Elmer	Hastings-Peterborough	ND	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Callahan, Robert V.	Brampton South/-Sud	L	
Caplan, Elinor	Oriole	L	
Carr, Gary	Oakville South/-Sud	PC	Progressive Conservative deputy House leader / chef parlementaire adjoint du Parti progressiste-conservateur
Carter, Jenny	Peterborough	ND	parliamentary assistant to Minister of Citizenship / adjointe parlementaire de la ministre des Affaires civiques
Charlton, Hon/L'hon Brian A.	Hamilton Mountain	ND	Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et délégué à l'Assurance-automobile
Chiarelli, Robert	Ottawa West/-Ouest	L	
Christopherson, Hon/L'hon David	Hamilton Centre/-Centre	ND	Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Churley, Hon/L'hon Marilyn	Riverdale	ND	Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce
Cleary, John C.	Cornwall	L	
Conway, Sean G.	Renfrew North/-Nord	L	Deputy Leader of the Opposition / chef adjoint de l'opposition
Cooke, Hon/L'hon David S.	Windsor-Riverside	ND	Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main-d'oeuvre

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Cooper, Mike	Kitchener-Wilmot	ND	parliamentary assistant to Minister of Labour; Vice-Chair, standing committee on resources development / adjoint parlementaire du ministre du Travail, Vice-Président du Comité permanent du développement des ressources
Coppen, Hon/L'hon Shirley	Niagara South/-Sud	ND	Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs
Cordiano, Joseph	Lawrence	L	Chair, standing committee on public accounts / Président du Comité permanent des comptes publics
Cousens, W. Donald	Markham	PC	
Crozier, Bruce	Essex South/-Sud	L	
Cunningham, Dianne	London North/-Nord	PC	
Curling, Alvin	Scarborough North/-Nord	L	opposition deputy whip / whip adjoint de l'opposition
Dadamo, George	Windsor-Sandwich	ND	parliamentary assistant to Minister of Transportation / adjoint parlementaire du ministre des Transports
Daigeler, Hans	Nepean	L	Vice-Chair, standing committee on general government / Vice-Président du Comité permanent des affaires gouvernementales
Duignan, Noel	Halton North/-Nord	ND	parliamentary assistant to Minister of Consumer and Commercial Relations / adjoint parlementaire de la ministre de la Consommation et du Commerce
Eddy, Ron	Brant-Haldimand	L	Vice-Chair, standing committee on social development / Vice-Président du Comité permanent des affaires sociales
Elston, Murray J.	Bruce	L	opposition House leader / chef parlementaire de l'opposition
Eves, Ernie L.	Parry Sound	PC	Progressive Conservative House leader / chef parlementaire du Parti progressiste-conservateur
Farnan, Hon/L'hon Mike	Cambridge	ND	Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation
Fawcett, Joan M.	Northumberland	L	
Ferguson, Will	Kitchener	Ind	
Fletcher, Derek	Guelph	ND	parliamentary assistant to Minister of Citizenship / adjoint parlementaire de la ministre des Affaires civiques
Frankford, Robert	Scarborough East/-Est	ND	
Gigantes, Hon/L'hon Evelyn	Ottawa Centre/-Centre	ND	Minister of Housing / ministre du Logement
Grandmaître, Bernard	Ottawa East/-Est	L	
Grier, Hon/L'hon Ruth	Etobicoke-Lakeshore	ND	Minister of Health / ministre de la Santé
Haeck, Christel	St Catharines-Brock	ND	government whip; Chair, standing committee on regulations and private bills / whip du gouvernement, Présidente du Comité permanent des règlements et des projets de loi privés
Hampton, Hon/L'hon Howard	Rainy River	ND	Minister of Natural Resources / ministre des Richesses naturelles
Hansen, Ron	Lincoln	ND	Chair, standing committee on the Legislative Assembly / Président du Comité permanent de l'Assemblée législative
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	ND	First Deputy Chair of the Committee of the Whole House; Vice-Chair, standing committee on administration of justice / Premier Vice-Présidente du Comité plénier de l'Assemblée législative, Vice-Présidente du Comité permanent de l'administration de la justice
Harris, Michael D.	Nipissing	PC	leader of the Progressive Conservative Party / chef du Parti progressiste-conservateur
Haslam, Karen	Perth	ND	

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Hayes, Pat	Essex-Kent	ND	parliamentary assistant to Minister of Municipal Affairs / adjoint parlementaire du ministre des Affaires municipales
Henderson, D. James	Etobicoke-Humber	L	
Hodgson, Chris	Victoria-Haliburton	PC	
Hope, Randy R.	Chatham-Kent	ND	parliamentary assistant to Minister of Community and Social Services / adjoint parlementaire du ministre des Services sociaux et communautaires
Huget, Bob	Sarnia	ND	government whip; parliamentary assistant to Minister of Environment and Energy; Chair, standing committee on resources development / whip du gouvernement; adjoint parlementaire du ministre de l'Environnement et de l'Énergie, Président du Comité permanent du développement des ressources
Jackson, Cameron	Burlington South/-Sud	PC	Chair, standing committee on estimates / Président du Comité permanent des budgets des dépenses
Jamison, Norm	Norfolk	ND	parliamentary assistant to Minister of Economic Development and Trade / adjoint parlementaire de la ministre du Développement économique et du Commerce
Johnson, David	Don Mills	PC	
Johnson, Paul R.	Prince Edward- Lennox-South Hastings / Prince Edward-Lennox- Hastings-Sud	ND	parliamentary assistant to Minister of Economic Development and Trade; Chair, standing committee on finance and economic affairs / adjoint parlementaire de la ministre du Développement économique et du Commerce, Président du Comité permanent des finances et des affaires économiques
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	ND	government whip; parliamentary assistant to Minister of Agriculture, Food and Rural Affairs / whip du gouvernement, adjoint parlementaire du ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Kormos, Peter	Welland-Thorold	ND	
Kwinter, Monte	Wilson Heights	L	
Lankin, Hon/L'hon Frances	Beaches-Woodbine	ND	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Laughren, Hon/L'hon Floyd	Nickel Belt	ND	Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Lessard, Wayne	Windsor-Walkerville	ND	parliamentary assistant to Minister of Environment and Energy / adjoint parlementaire du ministre de l'Environnement et de l'Énergie
Mackenzie, Hon/L'hon Bob	Hamilton East/-Est	ND	Minister of Labour / ministre du Travail
MacKinnon, Ellen	Lambton	ND	Vice-Chair, standing committee on regulations and private bills / Vice-Présidente du Comité permanent des règlements et des projets de loi privés
Mahoney, Steven W.	Mississauga West/-Ouest	L	opposition chief whip / whip en chef de l'opposition
Malkowski, Gary	York East/-Est	ND	parliamentary assistant to Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation
Mammoliti, George	Yorkview	ND	parliamentary assistant to Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et ministre des Services correctionnels
Marchese, Rosario	Fort York	ND	parliamentary assistant to the Premier; parliamentary assistant to Minister of Intergovernmental Affairs; Chair, standing committee on administration of justice / adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales, Président du Comité permanent de l'administration de la justice
Marland, Margaret	Mississauga South/-Sud	PC	Chair, standing committee on government agencies / Présidente du Comité permanent des organismes gouvernementaux
Martel, Hon/L'hon Shelley	Sudbury East/-Est	ND	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Martin, Tony	Sault Ste Marie / Sault-Sainte-Marie	ND	parliamentary assistant to Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation
Mathysen, Irene	Middlesex	ND	parliamentary assistant to Minister of Environment and Energy / adjointe parlementaire du ministre de l'Environnement et de l'Énergie
McClelland, Carman	Brampton North/-Nord	L	
McGuinty, Dalton	Ottawa South/-Sud	L	
McLean, Allan K.	Simcoe East/-Est	PC	Vice-Chair, standing committee on government agencies / Vice-Président du Comité permanent des organismes gouvernementaux
McLeod, Lyn	Fort William	L	Leader of the Opposition / chef de l'opposition
Miclash, Frank	Kenora	L	opposition deputy whip / whip adjoint de l'opposition
Mills, Gordon	Durham East/-Est	ND	parliamentary assistant to Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et ministre des Services correctionnels
Morin, Gilles E.	Carleton East/-Est	L	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la Chambre et Président du Comité plénier de l'Assemblée législative
Morrow, Mark	Wentworth East/-Est	ND	
Murdoch, Bill	Grey-Owen Sound	PC	
Murdock, Sharon	Sudbury	ND	parliamentary assistant to Minister of Labour / adjointe parlementaire du ministre du Travail
Murphy, Tim	St George-St David	L	
North, Peter	Elgin	Ind	
O'Connor, Larry	Durham-York	ND	parliamentary assistant to Minister of Health / adjoint parlementaire de la ministre de la Santé
O'Neil, Hugh	Quinte	L	
O'Neill, Yvonne	Ottawa-Rideau	L	
Offer, Steven	Mississauga North/-Nord	L	
Owens, Stephen	Scarborough Centre/-Centre	ND	parliamentary assistant to Minister of Finance / adjoint parlementaire du ministre des Finances
Perruzza, Anthony	Downsview	ND	parliamentary assistant to Chair of the Management Board of Cabinet / adjoint parlementaire du président du Conseil de gestion
Philip, Hon/L'hon Ed	Etobicoke-Rexdale	ND	Minister of Municipal Affairs, minister responsible for the office for the greater Toronto area / ministre des Affaires municipales, ministre responsable du Bureau de la région du grand Toronto
Phillips, Gerry	Scarborough-Agincourt	L	
Pilkey, Hon/L'hon Allan	Oshawa	ND	Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales
Poirier, Jean	Prescott and Russell / Prescott et Russell	L	
Poole, Dianne	Eglinton	L	Vice-Chair, standing committee on public accounts / Vice-Présidente du Comité permanent des comptes publics
Pouliot, Hon/L'hon Gilles	Lake Nipigon / Lac-Nipigon	ND	Minister of Transportation, minister responsible for francophone affairs / ministre des Transports, ministre délégué aux Affaires francophones
Rae, Hon/L'hon Bob	York South/-Sud	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
Ramsay, David	Timiskaming	L	
Rizzo, Tony	Oakwood	ND	Chair, standing committee on the Ombudsman / Président du Comité permanent de l'ombudsman
Runciman, Robert W.	Leeds-Grenville	PC	Progressive Conservative chief whip / whip en chef du Parti progressiste-conservateur
Ruprecht, Tony	Parkdale	L	
Silipo, Hon/L'hon Tony	Dovercourt	ND	Minister of Community and Social Services / ministre des Services sociaux et communautaires

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Sola, John	Mississauga East/-Est	Ind	
Sorbara, Gregory S.	York Centre/-Centre	L	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West/-Ouest	PC	
Sullivan, Barbara	Halton Centre/-Centre	L	
Sutherland, Kimble	Oxford	ND	parliamentary assistant to Minister of Finance / adjoint parlementaire du ministre des Finances
Swarbrick, Hon/L'hon Anne	Scarborough West/-Ouest	ND	Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	Progressive Conservative deputy whip / whip adjoint du Parti progressiste-conservateur
Villeneuve, Noble	S-D-G & East Grenville S-D-G & Grenville-Est	PC	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
Ward, Hon/L'hon Brad	Brantford	ND	Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances
Wark-Martyn, Hon/L'hon Shelley	Port Arthur	ND	Minister without Portfolio, Ministry of Health / ministre sans portefeuille, ministère de la Santé
Warner, Hon/L'hon David	Scarborough-Ellesmere	ND	Speaker / Président
Waters, Daniel	Muskoka-Georgian Bay	ND	parliamentary assistant to Minister of Culture, Tourism and Recreation / adjoint parlementaire de la ministre de la Culture, du Tourisme et des Loisirs
Wessenger, Paul	Simcoe Centre/-Centre	ND	parliamentary assistant to Minister of Health; Vice-Chair, standing committee on the Legislative Assembly / adjoint parlementaire de la ministre de la Santé, Vice-Président du Comité permanent de l'Assemblée législative
White, Drummond	Durham Centre/-Centre	ND	parliamentary assistant to Minister of Municipal Affairs / adjoint parlementaire du ministre des Affaires municipales
Wildman, Hon/L'hon Bud	Algoma	ND	Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Énergie, ministre délégué aux Affaires autochtones
Wilson, Hon/L'hon Fred	Frontenac-Addington	ND	Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement
Wilson, Gary	Kingston and The Islands / Kingston et Les Îles	ND	parliamentary assistant to Minister of Housing; Vice-Chair, standing committee on the Ombudsman / adjoint parlementaire de la ministre de Logement, Vice-Président du Comité permanent de l'ombudsman
Wilson, Jim	Simcoe West/-Ouest	PC	
Winninger, David	London South/-Sud	ND	
Wiseman, Jim	Durham West/-Ouest	ND	parliamentary assistant to Chair of the Management Board of Cabinet; Vice-Chair, standing committee on finance and economic affairs / adjoint parlementaire du président du Conseil de gestion, Vice-Président du Comité permanent des finances et des affaires économiques
Witmer, Elizabeth	Waterloo North/-Nord	PC	
Wood, Len	Cochrane North/-Nord	ND	parliamentary assistant to Minister of Natural Resources / adjoint parlementaire du ministre des Richesses naturelles
Ziimba, Hon/L'hon Elaine	High Park-Swansea	ND	Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉES PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

Administration of justice/Administration de la justice

Chair/Président: Rosario Marchese
Vice-Chair/Vice-Présidente: Margaret H. Harrington
Zanana L. Akande, Gilles Bisson, Robert Chiarelli,
Alvin Curling, Christel Haec, Charles Harnick,
Gary Malkowski, Tim Murphy, David Tilson,
David Winninger
Clerk/Greffière: Donna Bryce

Estimates/Budgets des dépenses

Chair/Président: Cameron Jackson
Vice-Chair/Vice-Président: Ted Arnett
Donald Abel, Gary Carr, Noel Duignan, Murray J. Elston,
Derek Fletcher, Pat Hayes, Wayne Lessard,
Steven W. Mahoney, David Ramsay, Jim Wiseman
Clerk/Greffière: Tonia Grannum

Finance and economic affairs/

Finances et affaires économiques

Chair/Président: Paul R. Johnson
Vice-Chair/Vice-Président: Jim Wiseman
Elinor Caplan, Gary Carr, Karen Haslam,
David Johnson, Norm Jamison, Monte Kwinter,
Wayne Lessard, Irene Mathysen, Gerry Phillips,
Kimble Sutherland
Clerk/Greffière: Lynn Mellor

General government/Affaires gouvernementales

Chair/Président: Michael A. Brown
Vice-Chair/Vice-Président: Hans Daigeler
Ted Arnett, George Dadamo, Bernard Grandmaître,
David Johnson, George Mammoliti, Gordon Mills,
Mark Morrow, Gregory S. Sorbara, Paul Wessenger,
Drummond White
Clerk/Greffier: Franco Carrozza

Government agencies/Organismes gouvernementaux

Chair/Présidente: Margaret Marland
Vice-Chair/Vice-Président: Allan K. McLean
James J. Bradley, Jenny Carter, John C. Cleary,
Alvin Curling, Robert Frankford, Margaret H. Harrington,
Gary Malkowski, George Mammoliti, Daniel Waters,
Elizabeth Witmer
Clerk/Greffière: Lynn Mellor

Legislative Assembly/Assemblée législative

Chair/Président: Ron Hansen
Vice-Chair/Vice-Président: Paul Wessenger
George Dadamo, Paul R. Johnson, Ellen MacKinnon,
Irene Mathysen, Carman McClelland, Gilles E. Morin,
Norman W. Sterling, Barbara Sullivan, Kimble Sutherland,
Noble Villeneuve
Clerk/Greffière: Lisa Freedman

Ombudsman

Chair/Président: Tony Rizzo
Vice-Chair/Vice-Président: Gary Wilson
Donald Abel, Zanana L. Akande, Mike Cooper,
Karen Haslam, D. James Henderson, Tony Martin,
Frank Miclash, Bill Murdoch, David Ramsay,
Chris Stockwell
Clerk/Greffier: Todd Decker

Public accounts/Comptes publics

Chair/Président: Joseph Cordiano
Vice-Chair/Vice-Présidente: Dianne Poole
Gilles Bisson, Robert V. Callahan, Bruce Crozier,
Robert Frankford, Rosario Marchese, Margaret Marland,
Larry O'Connor, Stephen Owens, Anthony Perruzza,
David Tilson
Clerk/Greffier: Todd Decker

Regulations and private bills/

Règlements et projets de loi privés

Chair/Présidente: Christel Haec
Vice-Chair/Vice-Présidente: Ellen MacKinnon
Ron Eddy, Derek Fletcher, Ron Hansen, Pat Hayes,
Chris Hodgson, Leo Jordan, Gordon Mills, Hugh O'Neil,
Anthony Perruzza, Tony Ruprecht
Clerk/Greffière: Tonia Grannum

Resources development/Développement des ressources

Chair/Président: Bob Huget
Vice-Chair/Vice-Président: Mike Cooper
Sean G. Conway, Joan M. Fawcett, Leo Jordan, Paul Klopp,
Sharon Murdock, Steven Offer, David Turnbull,
Daniel Waters, Gary Wilson, Len Wood
Clerk/Greffière: Tannis Manikel

Social development/Affaires sociales

Chair/Président: Charles Beer
Vice-Chair/Vice-Président: Ron Eddy
Jenny Carter, Dianne Cunningham, Randy R. Hope,
Tony Martin, Dalton McGuinty, Larry O'Connor,
Yvonne O'Neill, Stephen Owens, Tony Rizzo, Jim Wilson
Clerk/Greffier: Douglas Arnett

These lists appear in the first and last issues of each session and on the first Monday of each month. A list arranged by riding appears when space permits.

Ces listes figurent dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.

CONTENTS

Monday 6 June 1994

MEMBERS' STATEMENTS

Motorcycle insurance	
Mr Daigeler	6643
Anniversary of D-Day	
Mr Jordan	6643
Mrs Marland	6644
Portugal National Day	
Mr Marchese	6643
Violence	
Ms Poole	6643
African Episcopal Methodist Church	
Mr McLean	6644
Innovative management award	
Ms Murdock	6644
Progressive Conservative Party	
Mr Mahoney	6644
Law Enforcement Torch Run	
Mr Owens	6645

STATEMENTS BY THE MINISTRY AND RESPONSES

Long-term care	
Mrs Grier	6647
Mrs Sullivan	6648
Mr Jim Wilson	6649
Mr Jackson	6649

ORAL QUESTIONS

Children's services	
Mr Conway	6650
Mr Silipo	6650
Long-term care	
Mrs Sullivan	6651
Mrs Grier	6651, 6652, 6653
Mr Jim Wilson	6652
Mr Jackson	6653
Incineration	
Mr Tilson	6654
Mr Wildman	6654
Legal profession	
Mr Chiarelli	6655
Mrs Boyd	6655
Pornography	
Mr Runciman	6655
Mr Christopherson	6655
Ministry of Environment and Energy spending	
Mr Wildman	6656
Mr Offer	6656
Forest industry	
Mr Ramsay	6656
Mr Hampton	6657
Labour legislation	
Mrs Witmer	6657
Mr Mackenzie	6657
Health cards	
Mr Mills	6658
Mrs Grier	6658

Agricultural labour policy

Mr Elston	6658
Mr Buchanan	6658

MOTIONS

Standing committee on administration of justice	
Mr Charlton	6659
Agreed to	6659

PETITIONS

Sexual orientation	
Mr O'Neil	6659, 6661
Mrs Marland	6659, 6661
Ms Poole	6660, 6661
Mr Carr	6660
Mr Rizzo	6660
Mr Callahan	6660
Mr Hodgson	6660
Mr Winninger	6661
Transportation for the disabled	
Mr O'Connor	6659
Motorcycle and snowmobile insurance	
Mr Hansen	6661
Mr Cooper	6662
Junior kindergarten	
Mr Arnott	6661

FIRST READINGS

Long-Term Care Act, 1994, Bill 173,	
<i>Mrs Grier</i>	
Mrs Grier	6662
Agreed to	6662
Endangered, Threatened and Vulnerable Species Act, 1994,	
<i>Bill 174, Mr Wiseman</i>	
Mr Wiseman	6662
Agreed to	6662
Statute Law Amendment Act (Government Management and Services), 1994, Bill 175, Mrs Boyd	
Mrs Boyd	6662
Agreed to	6662
Young Men's Christian Association of Cambridge Act, 1994, Bill Pr120,	
<i>Mr Cooper</i>	
Mr Cooper	6662
Agreed to	6662

SECOND READINGS

Equality Rights Statute Law Amendment Act, 1994, Bill 167,	
<i>Mrs Boyd</i>	
Mr Malkowski	6663, 6665
Mr Callahan	6663, 6669
Mr Tilson	6664, 6668, 6674
Mr Sutherland	6664
Mr Sola	6664
Mr Murphy	6665, 6670

Mrs Boyd	6669
Mr Marchese	6669
Mr Buchanan	6670, 6674
Mr Stockwell	6673
Ms Haack	6673
Ms Poole	6674, 6678
Mr Bisson	6676
Mr Mahoney	6677
Mr O'Connor	6677
Ms Churley	6677
Mr Winninger	6678
Debate adjourned	6678

OTHER BUSINESS

Anniversary of D-Day	
Mr Mills	6645
Mr Morin	6645
Mr Cousens	6647
Member's comment	
Mr McLean	6659
Errata	6679

TABLE DES MATIÈRES

Lundi 6 juin 1994

DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES

Soins de longue durée	6647
M ^{me} Grier	6648

AUTRES TRAVAUX

Anniversaire du débarquement	6645
M. Morin	6646

PREMIÈRE LECTURE

Loi de 1994 sur les soins de longue durée, projet de loi 173,	
<i>M^{me} Grier</i>	6662
Adoptée	6662
Loi de 1994 sur les espèces vulnérables, menacées ou en voie de disparition, projet de loi 174,	
<i>M. Wiseman</i>	6662
Adoptée	6662
Loi de 1994 modifiant des lois en ce qui a trait aux pratiques de gestion et aux services du gouvernement,	
projet de loi 175, <i>M^{me} Boyd</i> ..	6662
Adoptée	6662

DEUXIÈME LECTURE

Loi de 1994 modifiant des lois en ce qui concerne les droits à l'égalité,	
projet de loi 167, <i>M^{me} Boyd</i> ..	6663
Débat adjourné	6678

C4201
X1
-023

Government
Publication



No. 139

N° 139

ISSN 1180-2987

Legislative Assembly of Ontario

Third Session, 35th Parliament

Assemblée législative de l'Ontario

Troisième session, 35^e législature

Official Report of Debates (Hansard)

Tuesday 7 June 1994

Journal des débats (Hansard)

Mardi 7 juin 1994



Speaker
Honourable David Warner

Président
L'honorable David Warner

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

50th anniversary

1944–1994

50^e anniversaire

Hansard is 50

Hansard reporting of complete sessions of the Legislative Assembly of Ontario began on 23 February 1944 with the 21st Parliament. A commemorative display may be viewed on the main floor of the Legislative Building.

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats a 50 ans

Le reportage des sessions intégrales de l'Assemblée législative de l'Ontario, fait par le Journal des débats, a commencé le 23 février 1944 avec la 21^e législature. Une exposition pour marquer cet événement est étalée au premier étage de l'Édifice du Parlement.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 7 June 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 7 juin 1994

The House met at 1333.
Prayers.

ANNUAL REPORT OFFICE OF THE OMBUDSMAN

The Speaker (Hon David Warner): I beg to inform the House that I have today laid upon the table the annual report of the Ombudsman for the period April 1, 1993, to March 31, 1994.

MEMBERS' STATEMENTS COMMUNITY UNITY ALLIANCE

Mrs Elinor Caplan (Oriole): For many newcomers to our great province the process of adjusting to a new life is at times extremely difficult. The challenge of becoming settled in a new culture often requires help, assistance and support.

I'd like to take this opportunity to share with you a truly exciting success story from my riding of Oriole. The Community Unity Alliance is a non-profit organization which has been formed to encourage the creation of community-based self-help groups to assist new immigrants to become as established and as self-supporting as quickly as possible.

The Community Unity Alliance provides invaluable services to newcomers in Ontario by helping them to solve problems, giving them advice and helping them access the services that are available.

In conjunction with the private sector, the Community Unity Alliance has established offices in my riding. These offices serve as a home today to eight organizations from a diverse community. They offer self-help to individuals in need. The names of the groups, just to name two, range from the Canadian Congress of East Caribbean Associations to the Sierra Leone Cultural Society of Ontario.

By working together and sharing resources, members of the Community Unity Alliance have provided us with an example of what can be accomplished when individuals and groups cooperate in a common goal.

I'd like to congratulate the Community Unity Alliance members for their invaluable service and I wish them success in the future.

POST-SECONDARY EDUCATION

Mrs Dianne Cunningham (London North): My statement is directed, for the information, to the Minister of Education and Training.

Loyalist College hosted the provincial college council meeting in Belleville, Ontario, on June 1 and June 2. I was honoured to participate in an informal discussion with my colleague Dalton McGuinty and college council members on Thursday morning. It's unfortunate the minister was not able to attend because I think he would

have found the meeting very informative and extremely interesting.

We covered a number of issues which I will briefly list for the benefit of the minister.

The important role colleges have in training students for jobs: Many colleges are concerned that the gap between the role of secondary schools, colleges and universities is becoming extensive and very grey. They believe that colleges should have more clearly defined roles in training.

Red tape: Each program has an advisory council. There are college councils, boards of governors, the Council of Regents and the ministry, an extremely bureaucratic system.

Appointments to college boards: Community colleges are concerned that their long-established role in recommending for appointment board members who best reflect the local community is being usurped by the Council of Regents. My colleague Elizabeth Witmer and I have raised our concerns in the Legislature many times.

General education: Colleges must provide general education at the expense of technical training. There was extremely lively discussion in this regard.

It was encouraging for me to listen to such dedicated college faculty. They have valid concerns which I trust the minister will address. I'd like to thank Peter Callaghan, chair of the Loyalist College council, for inviting me to participate in this very worthwhile meeting.

SOCIAL SERVICES

Mr Derek Fletcher (Guelph): On Friday, May 14, many of my constituents marched in downtown Guelph to protest federal and provincial cuts and freezes to social programs. The protesters included members of the Onward Willow community, the Brant Avenue Neighbourhood group and other community groups that are worried about cutbacks.

The Minister of Community and Social Services met with the Onward Willow group in January to hear its concerns about the erosion of our social service safety net. They marched from the Family Gateway Centre to St George Square to present their concerns to Mayor John Counsell and myself.

They're afraid that people on social assistance will be easy targets in the province's crackdown on fraud. They're afraid of the impact cutbacks will have on single parents and their children. They're afraid that people who are economically disadvantaged are being disfranchised. They agree the system has to be reformed, but they don't want it to be at the expense of people who need it.

The protesters presented me with a bag of shoes that were worn during the march to represent the condition of our social safety net. I gave those shoes to the minister as

a reminder of the people who are affected by the decisions we make here.

Onward Willow was one of the first community projects this government funded under the Better Beginnings, Better Futures program, and I'm proud of the work Onward Willow is doing to help families build a better life for themselves. But we need to make sure, especially in this Year of the Family, that we protect our social services so there will be a better future for everyone.

Mr Minister, when you look at those shoes, remember, they were worn by the children who represent our future.

1340

MINISTRY OF AGRICULTURE,
FOOD AND RURAL AFFAIRS

Mrs Joan M. Fawcett (Northumberland): For weeks we have been trying to figure out what the name change of the Ministry of Agriculture, Food and Rural Affairs really meant.

We asked the minister if he was given new authority. He said no. We asked the minister if he was given new funding. He said no. We asked the minister if he would have any new programs. He said no.

We asked the minister if he would now stick up for the farmers in the face of Bill 91, the NDP's plan to unionize family farms. He said he would not. We asked the minister to intervene against Ontario Hydro, which wants to use farmers' hydro bills to pay for sustainable agriculture projects in South America. He said he would not.

The minister was expected to protect agriculture in the recent budget. Instead agriculture funding was axed \$34 million and given to the civil servants at Management Board. We asked the minister why his budget was falling out from underneath him. He said the previous Liberal agriculture programs had finished and he was helpless to extend them.

The minister's refusal to carry out his duties didn't seem to make any sense. It was as if the minister really wasn't in charge.

Then we looked at the June 1 issue of the Teeswater News and discovered the truth. The paper carried a photo of the member for Huron advertising the hours of a constituency office, but the member for Huron's job title, right underneath the photo here, reads, "Ontario Minister of Agriculture, Food and Rural Affairs." Obviously, we've been asking the questions to the wrong person, an imposter. Meanwhile, the real minister was hiding out in Huron county.

I hope we can finally now get some meaningful answers to our questions, but I won't hold my breath.

FIREARMS SAFETY

Mr Chris Hodgson (Victoria-Haliburton): I rise today to protest the inaction of this government respecting my private member's resolution, which was passed on May 4 of this year.

Provided that applicants meet the strict guidelines for firearms ownership which are mandated by federal law, my resolution would automatically grant a firearms acquisition certificate to those people who have successfully completed the Ontario hunter education course and

those who have demonstrated a solid safety record through many years of shooting experience.

This issue is extremely important for hundreds of thousands of responsible, competent firearm owners in Ontario. Farmers, prospectors, fur harvesters, Olympic athletes and recreational shooters and hunters have demonstrated their proficiency through their actions and should not be burdened with another course or examination.

The establishment of yet another bureaucracy just to monitor and influence the behaviour of citizens who already obey the laws of the land is unnecessary. If people misuse firearms, either criminally or negligently, they must understand that they will lose their privilege to own firearms and be punished according to the laws of this province. But law-abiding gun owners cherish their privileges and they will comply with reasonable limitations on activities. It is not appropriate to assume that gun owners are criminals. It is simply not the case.

Common sense dictates that both the Minister of Natural Resources and the Solicitor General make an attempt to listen to the concerns of those whom their policies are affecting directly. I encourage them to do so and act upon the wishes of the elected members of this Legislature and grandfather in the FAC.

ASSISTANCE TO NIAGARA REGION ORGANIZATIONS

Ms Christel Haeck (St Catharines-Brock): Recently I had the pleasure of presenting a couple of cheques to community organizations in my riding on behalf of the Ministry of Citizenship. The Ontario Coalition of Rape Crisis Centres, based in St Catharines, received \$14,400 as part of an anti-racism project funding. Meanwhile, the Lincoln Chapter of Native Women received over \$24,000 from the ministry to establish a thrift centre. These are just a couple of examples of how our government is investing in small, people-oriented projects which have a big impact in our community.

April saw the Ministry of Community and Social Services provide \$500,000 to the Rosalind Blauer Child Care Centre in St Catharines. This funding will help relieve the waiting lists working parents face when they try to find day care for their children.

We are investing money to help all sectors in the Niagara region. Other examples: \$18.75 million over 10 years to tender fruit farmers in Niagara to protect prime fruit land; in the manufacturing sector, a \$1.6-million capital grant to Canadian Shipbuilding and Engineering; a \$3.3-million grant to Court Valve in St Catharines; thousands of dollars in loan guarantees to companies, including Clark Machine and Franell Manufacturing.

Our government is investing in capital projects in Niagara too. Niagara-on-the-Lake Pumphouse Art Gallery, the St Catharines YMCA and Niagara College all have received money. This is part of \$800 million that this government has in fact given to the Niagara region, and I want to support my ministers who have moved these projects along.

CARABRAM

Mr Robert V. Callahan (Brampton South): It hardly seems possible that we roll through the year so

quickly that Carabram, the very famous and very successful multicultural event that takes place in Brampton, will be held this year on July 8, 9 and 10. I would hope that all the members of the House who might have an opportunity to come out and visit Brampton and perhaps drop a few dollars there would visit this festival, because it is an amazing event.

It consumes about 2,500 or 3,000 volunteers involved in it right from day one after the event ended last year. I can assure you it will be a very successful and eventful opportunity for everyone to savour the sights, sounds and tastes of 21 pavilions this year without ever leaving the city of Brampton.

I urge members to get out and look at it. It's a model for the province of Ontario. I think it's a model for, as I've said before, Canada, and perhaps for the world, of us learning how to understand one another: our differences, our similarities, our likes, our dislikes, and so on.

In anticipation of that, my leaders over the years, both David Peterson and Lyn McLeod, have very graciously hosted a pre-Carabram reception here in the Legislature. That will take place on June 13 of this year after question period, and I believe it's in our caucus room. If there's any change in that, I'll be happy to let you know, but members can meet some of these wonderful people and can savour and taste some of those foods and sights right there. Perhaps if they can't get out to Brampton, that would be the way to do it. I invite you all to come.

TOURISM

Mr Ted Arnott (Wellington): June is Tourism Awareness Month. It's a time when all of us should reflect on the contributions which tourism makes to the Ontario economy. The tourism and hospitality sector is one of the largest employers in the private sector. But the tourism sector is shrinking, not entirely, but partially, because of provincial government policy over the last 10 years.

Some of the policies of the Liberal and NDP governments have created barriers to growth in the sector. Excessive income taxes and payroll taxes have contributed to the thousands of bankruptcies and declining employment opportunities in tourism. Our Conservative Party has some commonsense recommendations which, if adopted by this government, would help turn the industry around.

The government should cut provincial income taxes by 30% over three years. This would put disposable income back into the pockets of Ontario people. A Canadian Tourism Research Institute survey of summer vacation intentions shows that only 59% of Canadians plan to take a vacation trip this summer. The survey attributes lack of consumer interest in travel to the slow growth in disposable incomes.

In our Common Sense Revolution document, we have also said the government should cut workers' compensation premiums by 5%. This would save Ontario employers an estimated \$98.5 million and would be of great benefit to tourism operators. It would allow them to invest and create jobs.

We've suggested that the government should eliminate

the employer health tax on small businesses with payrolls of less than \$400,000, which would be a boost to the countless small business people in this sector.

Yesterday, along with a number of my colleagues, I met with representatives of the tourism and hospitality industry. A major concern is the escalating cost of doing business in Ontario as a result of substantial minimum wage increases. Ontario has one of the highest minimum wages in North America and it's killing jobs and putting Ontario at a competitive disadvantage. The minimum wage in Ontario should be frozen until the economy improves and competing jurisdictions catch up. This is what the Common Sense Revolution is all about.

OTONABEE REGION CONSERVATION AUTHORITY

Ms Jenny Carter (Peterborough): I'm rising today to congratulate the Otonabee Region Conservation Authority on its 35th anniversary. ORCA is celebrating for six weeks, ending on June 26, with an exciting lineup of special events. These started on May 15 with the grand opening of the exhibition *Once Upon a Watershed* at the Peterborough Museum and Archives. During the same period a new environmental education program called *The Environment Speaks* is being offered to students in grades 6 to 11 of area schools.

ORCA has a great deal to be proud of. Since its establishment in 1959, ORCA has been responsible for the planting of two million trees throughout the watersheds under its jurisdiction. Boy Scouts and other community groups are involved in the planting.

This authority has taken a number of environmental and water control measures which stabilize stream banks and reduce the risk of flooding. The Jackson Creek weir, for example, was completed in 1987. It effectively removed over 1,500 homes and businesses from the floodplain of Jackson Creek and has paid for itself many times over by preventing floods that would otherwise have occurred. ORCA has worked with farmers to improve water quality in the Indian River.

I want to congratulate chairman John King and his board, founding chairperson Christine Nornabell, past board members and Dan White and his staff for the good work they are doing. Long may it continue.

1350

VISITORS

The Speaker (Hon David Warner): I invite all members to join me in welcoming the Ombudsman, who is seated in the Speaker's gallery and who is attending at the presentation of her report, which has just been tabled.

I also invite all members to join me in welcoming a very special guest who is seated in the Speaker's gallery. He is a former member of this assembly who served here from 1951-59, Harold Ferguson Fishleigh, who was for 38 years the honorary consul for Spain located here in Toronto. He recently celebrated a very joyous occasion, his 91st birthday.

He is joined today by his fiancée and family and friends, and tomorrow will be another joyous occasion as he and his fiancée are married. You're most welcome.

Hon Elaine Ziemba (Minister of Citizenship and Minister Responsible for Human Rights, Disability

Issues, Seniors' Issues and Race Relations): Mr Speaker, I believe that we have unanimous consent to proclaim Seniors' Month.

The Speaker: Do we have unanimous agreement? Agreed? Agreed.

STATEMENTS BY THE MINISTRY AND RESPONSES

SENIOR CITIZENS

Hon Elaine Ziemba (Minister of Citizenship and Minister Responsible for Human Rights, Disability Issues, Seniors' Issues and Race Relations): It is with great pleasure that I stand in my place today on behalf of the government of Ontario to again celebrate Seniors' Month, the month of June. Of course, we all recognize the great contributions that our seniors have made to our society.

The theme this year is "Through the Years Together," and it depicts the contribution that seniors make not only to our families and our communities but also to our province. It is in keeping with the United Nations proclamation of the International Year of the Family, and we are very pleased that we can also contribute to that particular year.

Seniors' Month is always a joyful time for us in Ontario. It is a time that encourages us to reflect on the many ways in which the lives of Ontario's older adults contribute so much to our lives in Ontario. We also recognize that seniors are a fast-expanding group of citizens in this province and we are very pleased about that.

We also know that more and more seniors lead very healthy and active lives. Their volunteer contributions are great, and their time, their talent, their commitment, their wisdom and their energy contribute so much to all of the communities that we live in. This is the good news that Seniors' Month must remind us all of.

Later today in the foyer of the Legislative Building I will join the Lieutenant Governor and the Premier of Ontario, Mr Bob Rae, in congratulating 20 recipients of the 1994 Senior Achievement Award at a special ceremony in their honour. As you know, these are seniors who have so actively been involved in their communities, their neighbourhoods, in this province and in our society in their senior years. This is a time for us to reflect and to also congratulate them for their work.

These 20 individuals come from all across the province, from all the regions. They are native elders, they are women, they are people from all ethnic backgrounds. They are citizens who have truly contributed. Some of the contributions they have made, of course, are in the volunteer area, some are in helping our young people and in some cases it's actually innovative inventions that have helped this province.

So as we go through Seniors' Month I know that many of my colleagues on this side of the House and I'm sure on the other side will also be participating in different events across the province to honour all these individuals.

This year we have made a very recent announcement, and that is that in conjunction with my colleague the Minister of Municipal Affairs we have asked municipal-

ities to nominate a Senior of the Year for their municipality. Some 87 municipalities in this province are participating in this new annual event, and they have already started to set up types of events to participate in Seniors' Month to again congratulate our seniors. I know that again my colleagues will be out there supporting the seniors in their communities.

As we go through the month, we will also be doing some very serious reflections, and I think this is an opportunity for us to look at the issues and the concerns that seniors have. Both my parliamentary assistant the member for Peterborough, Jenny Carter, and my other parliamentary assistant the member for Guelph, Derek Fletcher, will assist me in having very serious dialogues with the seniors of this province.

Yesterday my colleague the Minister of Health announced another phase of the Redirection of Long-Term Care and Support Services in Ontario, again another important initiative for seniors who want to remain in their own communities, who want to have a good life and to be respected and to live in dignity with some amount of independence in their communities. Of course, in recent years we have announced the new Advocacy Act and the Consent to Treatment Act, which, again, give our vulnerable citizens in this province a sense of dignity, of independence and of being able to participate in their communities with a better life.

Our ministry has also been working very hard with various community groups to see what type of resources seniors want to have in their communities. The different printed resources that we have through our ministry are of great assistance. The new resource guide that we have is being distributed across the province to libraries, community centres, agencies and, of course, MPPs' offices. This will be updated periodically to reflect the changes in programs and issues that happen across the province.

We also, last May, supported, along with the Minister of Education and Training, Intergenerational Week. This was an opportunity for seniors and young people to work together to plan programs and to bring the two generations together. In our new society, our new age, many of our young people do not have the opportunity to have grandparents. This gives the younger generation an opportunity to learn from seniors, to be able to meet a senior, to get to know someone and have a new friend, and have somebody they can share their life with.

We also, along with the Minister of the Solicitor General and our ministry, have participated with law enforcement agencies and have signed and are promoting Seniors and Law Enforcement Together, which is a new program and a new initiative that sensitizes law enforcement agencies to the very specific needs of older adults and the abuse that often happens to older adults.

We're very pleased with the work that we are doing in our ministry and that our government is supporting, along with our ministry. As you can see, I've named just a very few initiatives that the various ministries across this government are participating in. We can see that all of our colleagues are very supportive of seniors' issues and want to make for a better life for all of our seniors.

I want to thank all of the members today for acknowledging their support for seniors. I hope to see them later on in the foyer of the Legislative Building and to help participate with them and to celebrate Seniors' Month and all the contributions that our seniors have given to this province.

Mrs Yvonne O'Neill (Ottawa-Rideau): I too would like to join with the minister in congratulating the seniors who are being recognized in this province today. I know that they are just the tip of the iceberg.

I certainly have submitted many very worthy candidates for this honour but have not yet had one chosen from my riding. I'm going to continue that effort.

Seniors have three things, I think, that many of us are a little bit scarce on; maybe some of us in this Legislature. I will name them as wisdom, I will name them as time and I will name them as patience. I think those are virtues that can only be gained by living. In addition to that, many of the seniors I know are filled with empathy.

These people who are recognized today and those they represent are pillars in our community. I've seen it in every area of our community, whether it be in business, whether it be in the caring or whether it be in the nurturing and whether it be in the celebrating achievements in our communities. They bridge the generations. They keep in touch with the past those of us who are living now our fullest lives in our professions.

I'm very happy that the minister chose to give the opportunity to municipalities to recognize seniors as well. I'm very pleased that 87 municipalities have taken that opportunity and I hope that more will continue.

Seniors have made and continue to make a very significant contribution to Ontario. But I have a lot more trouble when the minister begins to say, "We are very pleased with our efforts."

1400

The very first thing I would like to mention is that this government chose, unlike the previous government, to not have one minister responsible for seniors' issues; they have lumped it in with a very busy ministry, and for that I am sorry. I think the one-stop shopping or the one phone number could certainly begin with the establishment of a seniors' ministry or a minister responsible for seniors.

I'm also having difficulty with the self-aggrandizement of the efforts on behalf of seniors, because yesterday's announcement, for instance, on long-term care was 95% reannouncement and, if nothing else, the new part of the announcement was delays of things that might happen in the establishment of multiservice agencies and more uncertainty about what multiservice agencies may look like in this province.

The seniors of this province in the life of this government have been faced with one uncertainty after another, whether it be through the drug benefit program, whether it be in access to those things that they felt they had access to in the form of provincial parks, whether it is in the OHIP regulations and the uncertainty surrounding those, whether it is even in the income that they are going to preserve in the income tax regulation changes.

The minister has stated that things have been done. I'm sorry; I don't agree. I feel that less has been done for the seniors than in many times in the past, and there's very, very little to celebrate in Seniors' Month in the form of government activity. I do hope that again we can remind the government that the seniors of this province deserve better, that certainty and security are something that they need, they want and they have earned.

Mr Cameron Jackson (Burlington South): On behalf of my leader, Mike Harris, and the Conservative caucus, we too would like to indicate our full support for seniors' week, to acknowledge not only the week but the entire month, Seniors' Month of June, and to celebrate the contributions of Ontario's 1.2 million seniors over the age of 65.

Perhaps it is symbolic that this year's observations lie in the shadow of the D-Day observances, perhaps the most significant symbol of the contribution and sacrifice that an entire generation of Ontarians and Canadians made. These seniors have made such significant contributions to society's freedom, to its wealth of human experience, to its legacy of independence, of giving to society and not taking from society and building this wonderful province, and we have much we owe to these seniors.

Having said that, I would have hoped that the minister, once she began commenting about her government's contributions, might have gone, within her own directorate or her Ministry of Citizenship, beyond the limits of ceremonial awards and the creation of yet another award, such as the senior-of-the-year award, into more substantive policy decisions that she can look to as the singular spokesperson on seniors' issues, such as how life for seniors in this province has changed significantly for the better.

Instead of an awards ceremony for 20 albeit extremely well-deserving seniors, perhaps we might ask those seniors, some of whom have contributed to developing volunteer programs to assist Alzheimer patients, just how they feel about our level of commitment, as the government of Ontario, to the ravages of this disease and how severely it afflicts so many Ontario residents and about the quality of life which seniors afflicted actually do receive.

Instead of an awards ceremony, handing out plaques, perhaps we might ask the minister responsible, the Minister of Housing, for example, why recent decisions were made to reduce the number of seniors' housing units by allowing for changes in the mix and the ratio because of potential vacancies, but reducing, in effect, the total number of dedicated seniors' housing units in this province.

Instead of another plaque on the wall for one of the recipients today, why has the Minister of Health, who should be contributing to improving the circumstances for seniors in this province, not resolved a very important issue which we raised over a year ago regarding Bill 101, where one senior citizen in a married couple becomes severely ill and had to go into a nursing home? The government, under changes a year ago, now takes the calculation of the higher income of the person who needs the nursing home. This has had a devastating effect on

the women—it's mostly women—spouses who remain to maintain the home.

It's been a full year that we've been promised that this would be changed. If this year's theme truly is "Through the Years Together," I challenge the Minister of Health if she would please resolve this single issue, because 70% of poor seniors are women. They're living in poverty conditions. In fact, this regulation has forced a growing number of seniors to seek involuntary separation simply as a way of avoiding losing their principal residence as a result of this recent change in the government. These have been documented and shared with the government.

I say to the minister responsible for seniors that we appreciate very much your statements in the House today, but we need her to speak up in a more vigilant way in cabinet when these kinds of decisions are first made that adversely affect seniors. She can help to get them resolved.

On behalf of our caucus, we want to acknowledge that our seniors in this province deserve respect, they deserve to live in dignity and they deserve to have empowerment over the decisions in their lives. On this, I think all members of the House can agree. This is the kind of Ontario we hope they will be proud to live in in their senior years.

ORAL QUESTIONS

AUTOMOBILE INSURANCE

Mr Steven Offer (Mississauga North): I have a question to the minister responsible for auto insurance. This is an issue, as we all know, that is vital to millions of people in this province.

Minister, I have a memo from the Ministry of Finance. This memo is dated May 16. This memo is to repairers and insurance companies, and it says that the government is now going to charge sales tax to the consumer on the deductible portion of their insurance. In other words, Minister, if I have to replace my windshield on my car and my deductible happens to be \$100, instead of paying what I used to pay, which was \$100, I am now going to have to pay \$100 plus provincial sales tax of 8%, or \$108.

My question is, how do you justify imposing this new tax on consumers?

Hon Brian A. Charlton (Chair of the Management Board of Cabinet): The member raises a question that is not a part of my responsibilities, so I'm not aware of the memo to which he refers, but I'm certainly prepared to look into the matter and to find out and get information for the member.

Mr Offer: This is absolutely outrageous. Both the insurance industry and consumers are going to be outraged by this new policy. Your government seems to have nothing better to do than think of new ways to tax Ontario's hard-hit consumers. You, Minister, are responsible for auto insurance, and because everyone has to pay auto insurance, and indeed home insurance, which this policy applies to also, regardless of income, every new tax or tax increase on insurance hits lower-income people harder.

In your government's budget last month, your govern-

ment promised no new taxes. Why have you broken your promise and imposed this new tax on consumers of this province?

Hon Mr Charlton: The member is a bit wrong in two respects. First of all, it's been very clear ever since the cabinet shuffle a year ago that this minister retained responsibility for an auto insurance reform package that was known as Bill 164, and until the end of this session I still retain responsibility for that piece of legislation. The member is raising a question about a tax issue. I've said that I don't have responsibility in this province for tax issues and that I will look into the matter and get information for the member with regard to his question.

1410

Mr Offer: By way of supplementary—is this micro-phone working?—this is a minister of the government; you are in the cabinet, Minister. The insurance industry has told us that it doesn't want this new policy. You're responsible for that area. They don't need it and they don't like it, because they think and know it's going to hurt their customers. This is not the way they want to do business. The insurance industry has also stated that your new policy, in their opinion, breaches every single policy of insurance now in effect in this province by changing the terms of those contracts.

My question, Minister involved with auto insurance: Will you admit that your new policy is ill conceived, unfair and will you retract it immediately?

Hon Mr Charlton: The member opposite, in spite of the fact that he spent some time in the cabinet of this province, seems to have some difficulty understanding lines of responsibility. I've said that this area is not my responsibility and that I will look into the matter and get information for the member.

KIDNEY DIALYSIS

Mrs Barbara Sullivan (Halton Centre): My question is to the Minister of Health. Last October the minister set up a committee to look at immediate needs for dialysis facilities in Metropolitan Toronto and in the area surrounding Metro Toronto. That area is facing a crisis in being able to provide dialysis services to those people who need them.

Recently, we have learned that the committee has been instructed by an official in the Ministry of Health, Mr Donald Walker, that they "must provide for the annual growth of the dialysis population at no extra cost."

With a 10% increase in the number of dialysis patients each year, it's an impossible mandate. I'm asking the Minister of Health to confirm that her direction to her officials and the policy of the government is to provide increased kidney treatment services at no extra cost, and what directions she has given them to enable them to do so.

Hon Ruth Grier (Minister of Health): I think the record of our government in having spent \$23 million over the last three years in the expansion of dialysis treatment around the province and our instigation of a study to look at the need for expansion in the central Ontario region speaks for itself. We know the need for dialysis is increasing at 10% a year, we know we have to

plan for the first time as to how we can accommodate that growth, and I certainly don't expect to do that at no increased cost. I expect to do that as a result of the efficiencies that are happening in other parts of the system and our ability to reallocate funding within the Ministry of Health's budget to the areas where it is most needed, as exemplified by my announcement yesterday about our progress on long-term care, our increased funding of \$15 million this year to cancer treatment and many other areas of reform and expansion that are identified.

Mrs Sullivan: Every single expert and every single patient support organization in the province tell us that we face a major crisis, not only in the Toronto area but in other parts of Ontario, such as Kitchener, Hamilton and Ottawa, where our dialysis services are operating at capacity or above their capacity. The Minister of Health knows full well that even with the new efficiencies she mentions in the delivery of care, it is impossible to provide dialysis services to existing and new patients without significant increases in the commitment from the Minister of Health to those services. The minister will also know that without treatment, people with end-stage renal disease die, and there is no other outcome.

If the minister is expecting to be able to increase dialysis services or to provide treatment on efficiencies alone that are achieved in the system, will she describe to us how she intends to ration services or describe those surrounds around which kidney dialysis and other treatments must be provided? Will she say people beyond a certain age will not qualify for dialysis? Will she say people from certain geographic regions will not qualify? Will she say people with multiple illnesses will not qualify? We want to know the standards on which this government will be making decisions if it is not prepared to say quite fairly and fully that it will cover the extra costs for those patients who require dialysis services.

Hon Mrs Grier: I don't quite understand what the member is getting exercised about. As I indicated in my response to her first question, we have expanded, by an extra \$23 million, new facilities over the last three years. In fact, our total spending to expand the services for dialysis has been \$44 million since 1989. We are treating 1,500 more people than we were.

Two weeks ago I was at Hotel Dieu Hospital in St Catharines where they're renovating their dialysis unit. Last week I was at the opening of a self-care unit in Mississauga that is going to allow more dialysis treatment. We know it's increasing by 10% a year. We know we have to plan to expand that capacity and I believe it is important that we do that.

In order to pay for it, we may well have to manage our budget as well as we are now managing it. We have managed the \$17 billion that is spent on health care in this province in a way that has enabled us in this fiscal year alone to move to expand community-based care for all kinds of care by 5% while constraining costs in other areas. That's the kind of management of the health care budget that allows the government to set priorities and to meet priorities, while at the same time constraining the overall costs of the system.

Mrs Sullivan: Twice in her responses to my questions the minister has mentioned \$23 million which has been put into the budget by this government. That \$23 million was put into the budget by the last government. It was a long-term kidney dialysis plan.

This government has put nothing new in planning for dialysis treatment and end-stage renal disease since it came into office. It is a horrible error for her, when we are going through another cycle of crisis in dialysis services, to stand there and pretend that she has done anything about this issue.

We have called for a long-term planning network to be put into place. The minister has refused to do that. There is no new long-term plan in place. People are sick and are dying, and nothing new is happening and nothing more is coming out of this minister. What is her next step, I ask her to tell the House, and when will she stop taking pats on the back from the previous government and start to act on her own hook?

Hon Mrs Grier: The previous government, before it brought in that last budget—you know, the balanced one they announced in 1990—made a lot of commitments to funding. They didn't actually ever write the cheques. The cheques had to be written by this government when we looked at the true figures, made the tough choices and allocated the funding where it was required. We have expanded service for dialysis in Orillia, in Markham and in Mississauga, and have expanded it and renovated it in lots of other areas, so what she is saying is absolutely not the case.

When she asks about a long-term plan, the member, I think, sat on a committee that the member for Simcoe Centre had initiated for a week—

Interjection: Simcoe West.

Hon Mrs Grier: —Simcoe West—discussing dialysis services and hearing from my officials about the planning that is under way by the district health councils in central Ontario, because we know there is an increasing need. Instead of just making commitments for funding based on figures and facts out of thin air, as was done in the past, we are developing a rational approach—

The Speaker (Hon David Warner): Could the minister conclude her response, please.

Hon Mrs Grier: —in a step-by-step way to identify the needs, to identify the best way of meeting those needs, and then to allocate the resources to make sure that people get the treatment they need in our Ontario in 1996, 1997, 1998 and 1999.

1420

HUMAN RIGHTS

Mr Michael D. Harris (Nipissing): My question is to the Premier. This is one of the first opportunities I've had to ask you a question since your return from China. I know that last week, when I was away, the member for Carleton raised the issue of human rights with you.

I think you would agree with me that as a reasonably significant player in the international arena, what the Premier of Ontario says about human rights, as well as the perception that is left, is very important. That's why I was concerned to read the headlines in both the Toronto

Star of May 29 and the Toronto Sun, "Don't Tie Trade to Rights, Rae Says."

Premier, would you not agree with me that this message, and the impression of that headline, is the wrong message, the wrong signal to send to the world about Ontario's level of commitment to human rights?

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): I can honestly say to the honourable member that I am truly astounded by his question. First of all, he's asking me to take responsibility for headlines. In my political career over 16 years I've had to take the rap for a lot of things, but to take the rap for the imagination of headline writers on a day-to-day basis is something that is a responsibility that, I'm sorry, I just respectfully would decline and say to you that I think it's a little absurd to take that position.

Secondly, I would say to the honourable member that I would have thought that the position I've taken is one that would have his support. The position I've taken with respect to China is that we better advance the cause of human rights in China by being engaged there, by extending our ties, by doing what we're doing with respect to educational exchanges, by extending cultural exchanges and by deepening our ties and associations. I think that's how we best deal with the question of human rights in China.

That's been the position the government has taken after much consideration and, if I may say so, much discussion with other Canadian governments, including the federal government, where we felt it was important for us to move in a way consistent with Canada's record.

The Speaker (Hon David Warner): Could the Premier conclude his response, please.

Hon Mr Rae: That is the position we've taken. I would think if it's now the position of the Conservative Party, since this is the second question I've received, that we should not be encouraging Canadian businesses to go to China, I'd like him to stand up and put that on the record and I'd be glad to share that with all those people who are now seeking to do business there.

Mr Harris: I appreciate the Premier's concern that he can't control the headline writers, but unfortunately the headlines were written, and whatever it was you said prompted them to be written. That's what is read.

Perhaps the unfortunate irony on this issue and what really creates a significant problem is that you have been such an outspoken advocate of human rights in the past. Just a year ago you said, "There is a difference in the political and economic culture between Ontario and Mexico, a significant difference, and we ought to say that." Those were your words, Premier. Yet you went on a trade mission to China within days of the fifth anniversary of the Tiananmen Square massacre without making a clear statement on Ontario's objections to human rights violations in China.

Whether it was intentional or not, and perhaps it was not, would you not agree with me that the signal this is sending around the world is that you have changed your position and changed your stand on human rights violations by countries around the world?

Hon Mr Rae: I would say to the honourable member, first of all, that even in my headiest moments the notion that what I say is somehow spread round the world like someone—

Hon Ruth Grier (Minister of Health): Like a revolution.

Hon Mr Rae: —like some sort of revolutionary doctrine, I must confess is a thought that hadn't occurred to me and certainly wouldn't occur to anyone who works with me.

I would say to the honourable member that my position has been extremely consistent and I think it's important that he should know this.

What I've said with respect to the question of trade with China, since that's the issue that he's raised, is that it should be possible for us to walk and chew gum at the same time. I know that's sometimes difficult for people to come to terms with, but it happens to be the case. It is possible in the course of the same meeting and the same conversation, and in fact has been possible in the meetings I had with Vice-Premier Zhu Rongji and in the conversations I've had with Vice-Premier Zou Jiahua—in both cases I've made very clear to the vice-premiers that we have a different perspective on the issue of human rights, that we have a different legal and political tradition in Canada, and we want the opportunity to continue to discuss and raise these issues with the Chinese authorities—

The Speaker: Could the Premier conclude his response, please.

Hon Mr Rae: —as the Canadian government will at other opportunities.

At the same time, I want to make it clear that I think it's to the advantage of China, to the Chinese people and to all those people in China who are pressing for a more open economy and a more open society, to know that they have a friend in the people of Canada and in the people of Ontario. and yes, in the businesses of Canada and in the businesses of Ontario.

The Speaker: Could the Premier please conclude his response.

Hon Mr Rae: I think as Premier I have a responsibility to convey that message loud and clear.

Mr Harris: Premier, in 1986, you chided the Liberals for inviting Bishop Tutu to the Legislature without the Liberals—

Interjection.

Mr Harris: Yes, you did, and I'm releasing that with this; you can read it. You chided them for inviting Bishop Tutu to the Legislature without making a clear statement of policy on trade with South Africa. Yet this same Bob Rae, who once spoke so eloquently about South Africa, said nothing strong about violations in China.

It's one thing to have your private conversations; it's another thing for the rest of the world to read the public pronouncements. You may find it passing strange that the Office of the Premier of Ontario, particularly the Premier of the largest province of Canada, is considered a major

world figure when it comes to speaking out on human rights violations.

If we're going to trade with China, I believe we must make our stand on human rights clear. I would ask you this, Premier: Will you bring forward a resolution, standing in the name of the Premier of the province of Ontario, to be endorsed by this Legislature, to condemn human rights violations in China so that the world can know where we stand?

Hon Mr Rae: I say to the honourable member, why stop at China? Why wouldn't you have a resolution which would express concern for the condition of human rights all over the world? You can't have it both ways and I would say to the honourable member—

Mr Chris Stockwell (Etobicoke West): If you can't have it both ways, what are you talking about?

The Speaker: Order. The member for Etobicoke West is out of order.

Hon Mr Rae: I don't think question period gives me an opportunity, but surely if the honourable member wants to be taken seriously on this question, I'd like to know where he stands.

My position on human rights is very clear. What I've said is that with respect to China, I think we best advance the interests of human rights in China by being engaged. Do I make a distinction between that and the international boycott of South Africa or the international boycott of Haiti? You bet I do. If you don't understand the difference and you don't understand the distinction and you don't understand how it works, then I suggest that's another statement about the quality of the leadership you would provide.

The Speaker: New question, the member for Willowdale.

Interjections.

The Speaker: Order. The member for Willowdale has the floor.

1430

LEGAL AID

Mr Charles Harnick (Willowdale): My question is to the Attorney General. Section 2 of the Legal Aid Act states, "Subject to the approval of the Attorney General, the law society is hereby empowered to establish and administer a legal aid plan...." In the last two years, the legal aid plan has run up a debt of \$64 million. As the provincial government is the major source of funds for legal aid, are you going to underwrite the deficit of the plan, and if not, when will you be proposing significant restrictions on access to legal aid so that the plan can function without debt?

Mrs Elinor Caplan (Oriele): The same answer as yesterday.

Mr James J. Bradley (St Catharines): Should have tapped Chiarelli's question yesterday.

Hon Marion Boyd (Attorney General): I agree with the member from the loyal opposition that the member should have listened to this similar question yesterday.

There is indeed a \$65-million accumulated deficit. That includes \$38 million from last year and the current \$26

million for 1994-95. The issue we have entered into with the Ontario legal aid plan and the committee that runs it has been how to deal with that in an appropriate way given their arm's-length distance from the government.

It's important for this House to recognize that the Ontario contribution to legal aid has increased enormously over the last five years. In fact, over that time, we increased our contribution to legal aid by 240%. We can't continue, given the current problems, to do that, particularly when the other major funder, the federal government, has increased its contributions by only 7% over the same period of time.

What we have done for over a year now is that ministry and senior OLAP officials have been working cooperatively on a number of different initiatives that fit well with the investment strategy we have in the courts, which we believe will gradually lower the demand for legal aid. In the meantime, OLAP knows that during 1994-95 we have set a limit for certificate costs of \$194.8 million.

The Speaker (Hon David Warner): Could the minister conclude her response, please.

Hon Mrs Boyd: It is their task to figure out how the OLAP plan is going to stay within its means.

Mr Harnick: The law society is currently considering eliminating divorce cases from the legal aid plan, and other civil matters, yet year after year criminal law, immigration and refugee cases continue to take the lion's share of funds available. What action are you prepared to take to amend the Legal Aid Act to ensure that those who need legal aid are provided with counsel, and for those who are repeatedly accessing for criminal offences and refugee and immigration matters, the plan have limits placed on them?

Hon Mrs Boyd: As the member is quite well aware, we do as the final resort have an opportunity in this House, all of us, to change the Legal Aid Act, if that were required. We don't believe it will be required.

We are working very hard with our colleagues of the law society in the legal aid planning, to look at how to do this in a cooperative and collaborative way, and there are many things that have come forward: for example, the refugee clinic, where some of the immigration and refugee law will be done in that setting; the clinics on family law, one of which includes no-contest divorce, not-contested divorce actions, that will be tested out to see whether that is a more effective and efficient way for access to legal assistance around these particular issues.

We believe very strongly that it is important for us to live within our means and to work together to do that. That's what we're doing with the law society.

Mr Harnick: I appreciate that a \$65-million debt, to the NDP, isn't really a debt.

One of the reasons my party decided to use our opposition day debate today on the Young Offenders Act was that we wanted to highlight the fact that youths are guaranteed legal aid regardless of the charge or of parental ability to pay. We believe this section of the act reduces parental responsibility and unnecessarily adds to the cost of legal aid.

The federal government has chosen not to amend this section of the act in its amendments. We are well aware that Mr Rock, as a treasurer of the law society, might have some sympathy for the fact that while he was the treasurer this debt was being accumulated. Isn't this the best and most opportune time to go to Mr Rock and say, "While the legal aid plan is going broke, do something about this section so we can save \$5 million a year from this one item alone"? Why won't you do that?

Hon Mrs Boyd: Indeed we have talked with the federal government about this and a number of other issues. This will be one of the issues that, as part of the year-long review of the YOA, will be looked at. There is a very important issue involved around the guarantee for young people of independent legal help. If they are required to depend upon their parents—the act clearly has a section that outlines why they have to be eligible and they have to be accorded individual legal assistance, because their parents may in fact be in conflict of interest with them around this issue. This is something we would need to resolve. I think it is the reason the federal government decided not to put this particular aspect into this quick portion of the changes, but to wait until the year-long study has been completed by all levels of government.

VIOLENCE IN SCHOOLS

Mr Charles Beer (York-Mackenzie): My question is for the Minister of Education. Last week you made a statement in this House on the question of violence in schools. There were a great many nice-sounding phrases in that document, and in terms of the general sense of where all members want to go, I think they expressed that. But one of the real concerns a number of us had, particularly out in the field, is what some of the specifics are that you and your government might be prepared to contemplate.

Sometimes I think we look for large, grandiose programs when in fact there are some perfectly good, small but effective programs we ought to be supporting. The one in particular that I bring to your attention is the student Crime Stoppers program, which is in existence in provinces in western Canada and, as I believe you know, is also in existence in some of the states below the border.

The question a number of the school boards have asked is, is this government prepared to work with school boards in setting up pilot projects, providing limited funding to ensure that this effective and efficient program can be put into place? Minister, can you make a commitment to the House today that that is one program you're prepared to look at and to consider supporting with dollars out of your budget, some pilot projects in this province?

Hon David S. Cooke (Minister of Education and Training): I was at the meeting of the Crime Stoppers program last week and spoke with them and had some discussions with the organization. There are already some programs being run in Ontario's schools with the Crime Stoppers program. Obviously, at the local level, as boards take the provincial policy on violence prevention, they will want to take a look at the options at the local level.

But if you're asking whether there should be money that goes from the Ministry of Education to police departments—because that's in effect what the request is—the answer is no, that would not be appropriate. Police budgets are funded by property tax dollars at the local level. We don't have those kinds of resources. And everybody through the consultation on the zero tolerance policy told us time and time again that these types of issues do not need to be dealt with by infusions of new dollars. It's got to be dealt with by taking this issue seriously and incorporating this in the way we do business at the local level and in our schools.

Mr Beer: What I find strange, Minister, is that I gather that your ministry and the Ministry of the Solicitor General have been looking at some options the province might go forward with in this area, but this kind of program is nowhere to be found in those discussions. Clearly, this is something that works. We know that in Edmonton, they have in all of their schools cut vandalism by some 35%. In Metropolitan Toronto, one of the boards has to budget something in the order of \$1 million in terms of vandalism. This is something that could make the money back in terms of what it would save.

If it is you, as Minister of Education and Training, who is taking the lead on safe and secure schools, surely this is a program which has demonstrated its merit. What I am asking you, and I believe a number of people are asking, is, will you take this back? Whether it is you or the Solicitor General, it's a question of priorities; no one's asking for new money. These are dollars in terms of pilot projects that would show themselves to be successful and would earn back the money currently being spent to make up for the vandalism that occurs in the schools.

I ask you again, whether it is you or some other part of the government, will you not admit that these are effective programs and will you not see that a province-wide program in terms of pilot projects can be set in place so we can really see something tangible in dealing with vandalism in our schools?

Hon Mr Cooke: I think it would be unfair for the critic to say there hasn't been something tangible from the process. If you believe that, most everybody else who's been involved in the process of developing this policy would not agree with you. There is a very concrete policy that is now in place.

Yes, Crime Stoppers in schools is a good program where it has been implemented and it certainly should be encouraged. But I don't believe there's a need to put new money into the system. As you say, if this is a top priority, and it has to be, boards are going to have to reallocate resources, and so are police departments in terms of how they spend their dollars in our communities.

In terms of it being a good program and part of the overall strategy, I agree with you 100%.

1440

CHILD WITNESS PROGRAM

Mr Cameron Jackson (Burlington South): My question is to the Attorney General. Attorney General, you would be aware that of the growing number of

victims of crime in this province, perhaps the most tragic are child victims, because they are so vulnerable and because our laws don't protect them as well as they do adult victims.

You would be aware as well that the federal government made changes in 1988 to ensure that the rules of evidence and the Criminal Code amendments under Bill C-15 would strengthen the law to protect children who were physically and sexually abused. The minister would also be aware, during her tenure with interval houses prior to her arrival here, as well as her stint as the Minister of Community and Social Services, of the growing numbers of physically abused and sexually assaulted children in this province.

Could you please explain to the House why, since 1990, your government has seen fit not to expand the number of child victim/witness assistance programs in this province, similar to the one in London and the one in Metropolitan Toronto?

Hon Marion Boyd (Attorney General): I think the member is aware that both those programs were begun on a pilot basis. What we did as a government was to give them permanent funding—they now enjoy permanent funding—and to work with them to try and train, in our other victim/witness offices, those who need to deal with child witnesses. They have done a lot of that work, both in the Toronto area and in the London area. The London program and the Toronto program have worked right across this province, indeed across the country, sharing the expertise they've gained, sharing the report they've made and the kind of processes and systems they've put in place to assist children.

We would dearly love to be able to have that kind of program available on a one-to-one basis in every one of our jurisdictions, just as we would with the adult victim/witness programs. One of the reasons we are putting the victim fine surcharge into place on a provincial basis as part of this budget bill that's in front of the House is to give ourselves some of the resources that will enable us to expand the program.

Mr Jackson: Minister, we know that a growing number of child sexual abuse victims find themselves in our young offender system. We know for a fact that a disproportionately high number of young women offenders, as children—their sexual abuse experiences go unreported, undealt with by the courts.

You'd also be familiar with recent children's aid society statistics that indicate that in 1992 there were over 21,000 allegations, yet the capacity of this province was such that only 7% of those cases were dealt with to the extent that they were verified. That's a serious gap in the statistics on the number of reported incidents and those incidents that can be reported because of the system we have in this province.

Recently before a legislative committee, Louise Sas, representing the Child Witness Project from London Family Court Clinic, indicated that the success of her one project in Ontario—and I underscore the fact that it's the only program that deals with child sexual abuse victims on an individual basis.

The Speaker (Hon David Warner): Could the member place a question, please.

Mr Jackson: Yes, I will, Mr Speaker.

The other project deals with group counselling for victims.

Ms Sas reported to this committee of the Legislature that the conviction rate for sexual abuse of children in that court jurisdiction is double any other court in this province. Minister, we're talking thousands of child victims—

The Speaker: Does the member have a question?

Mr Jackson: —who could be helped by your programs if you'd implement them. Would the minister indicate to this House when the priority of her government will be to offer these court services for the growing number of child sexual assault victims in the province of Ontario?

Hon Mrs Boyd: We certainly acknowledge and are really glad that on a day when we're going to talk about the Young Offenders Act, the third party acknowledges that sexual abuse is an underlying issue for many people who are in the young offenders system, indeed at any level of offenders within our jails, within our systems. We believe it is very important as a preventive measure to deal effectively in the first instance with sexual assault and sexual abuse of children.

The member is quite right. Although we have the evidence from the London project that the kind of intensive work they do does enable the prosecutorial process to work more effectively in that jurisdiction, at the present time, until we are in receipt of some of the resources from the victim fine surcharge, it is not possible for us to expand that throughout the province in the way we would like. What we are doing is using the expertise that was gained by the London and the Toronto projects to try and train within our court system as many people as we can to expand the sensitivity to young people and to pledge ourselves—

The Speaker: Could the minister conclude her response, please.

Hon Mrs Boyd: Mr Speaker, he asked many questions, and I would like a chance to answer him.

The Speaker: Could the minister briefly conclude her response.

Hon Mrs Boyd: The other issue is that at the same time this third party is proposing to cut social services by 20%, they're telling us we should be expanding these programs throughout the whole province. There's a real anomaly here between what they say they would do and what they're demanding that we do.

EMPLOYMENT EQUITY

Ms Zanana L. Akande (St Andrew-St Patrick): My question is for the Minister of Citizenship. I have received many telephone calls both at my constituency office and at my legislative office expressing deep concern over the fact that Bill 79, the employment equity bill, which received third reading on December 9, has not yet been proclaimed. Would the minister explain the reason for this delay, and would she assure the people of

Ontario that Bill 79 will be proclaimed prior to summer recess?

Hon Elaine Ziemba (Minister of Citizenship and Minister Responsible for Human Rights, Disability Issues, Seniors' Issues and Race Relations): I want to thank my colleague for asking the question on Bill 79. Her commitment to human rights activities prior to her election, in fact during her entire life, has been of assistance to this government. I've been very blessed by the fact that many of my colleagues on this side of the House have been very supportive and very helpful to make this ground-breaking piece of legislation the best it can possibly be in Ontario and that it will set the stage for the changes in human rights. As the third party leader was talking today about human rights and human rights issues, yes, Ontario is on the leading edge of making sure human rights legislation and ground-breaking legislation is in effect and is going to be out there to lead the world, as he was saying.

In answer to my colleague's question, I'm really happy to report that we have been working hard on the regulations—they are almost at the point of being released—and also the guidelines. When we do, it will be in the interest of making sure this ground-breaking piece of legislation and the commission that is set up is the best possible type of commission for the clients we need to serve.

Ms Akande: This legislation has been hard fought for and long awaited by many who have not enjoyed equity in employment. This bill does bring greater employment justice to many workers. Many employers themselves are anxious to have the bill proclaimed so they can get on with the implementation. The proclamation of this act would contradict the rumour that the government intends to stall the implementation of this legislation as long as possible. Minister, when will Bill 79 be proclaimed?

Hon Ms Ziemba: My colleague is absolutely correct. There are equity-seeking groups that are anxious to have the bill proclaimed, but there are employers who have met with us and given us assistance because they too know it's important to have equity and justice in the workplace and they want to get on with the job.

I want to assure my colleague and the members opposite that this bill will be proclaimed as soon as possible, that it will be done in a timely fashion so that we can set up a commission that is appropriate, which will be doing the appropriate job for the employees as well as the employers, and that we have the best possible commission. I know with my colleagues' assistance that we will have that type of commission and that we will have the support from all members of this House to get the commission set up in an appropriate fashion.

1450

SOCIAL ASSISTANCE

Mr James J. Bradley (St Catharines): I have a question for the Minister of Community and Social Services and it follows up on a question I asked him approximately six weeks ago concerning student welfare.

I had a call at my constituency office describing a situation which is quite alarming; that is, a woman

phoned to say that her son's friends, many of whom are on student welfare, get together in an apartment—this is her description—get together and spend their money on beer at the first of the month. By mid-month they're out to the food banks trying to get money that way, and they know all the tricks about when to move out of an apartment and so on, so that they don't have to pay.

You and I have described this, I think, as, in theory, a good program that if properly applied can help students to stay in school, students who are in very difficult circumstances at home. In this circumstance her son is now doing everything possible to try to get thrown out of the house so that he can join his friends.

Would you describe for us the progress which you have made since the time that you spoke in the House about trying to deal with this particular problem?

Hon Tony Silipo (Minister of Community and Social Services): I want to again thank the member for raising this question, and also I point out again my appreciation for the constructive way in which he's been dealing with this issue.

We have made some progress, I can tell the member that. I've had discussions since he last raised this question with me in the House with my officials. We've looked at a number of options, all of which are aimed, as I indicated to the member the last time, at our sense that what we need to do with this issue is to bring greater clarity around the rules, because, as he has said, I also believe that there is a necessity for this kind of support to be provided.

Certainly our sense is that in the large majority of cases where 16- and 17-year-olds turn to social assistance they do so for very legitimate reasons that we would want to continue to maintain. But there are certainly the kinds of concerns that the member has expressed today, and certainly others I've heard from a number of other people that also worry me as the minister.

We are, therefore, looking at how we can make the rules clearer without being overly rigid and, at the same time, what work we need to do to put that information out. I hope that we can do that in the very near future. We are looking at a variety of options now and I hope, as I say, that we can move on this sooner rather than later.

Mr Bradley: The kind of circumstance that this woman described to me is one part of the problem, and one part of the problem that has to be addressed. The other that the minister was interested in, and it affects the Ministry of Education and Training as well, is I guess one way that it's a little easier to police it is on whether or not the students will actually attend school, because the purpose is to keep those students, usually aged 16, 17, 18, anywhere from 15 to 18, in school so they can continue on, later on perhaps, to post-secondary education.

Would the minister inform us what instructions have been given or what conversations have taken place with the Ministry of Education and local school boards as to how they might better be able to apply the rules to ensure that the program deals in a positive sense with those who

are genuinely in need and in a negative sense with those who are simply abusing the system?

Hon Mr Silipo: I know that our officials as they've been looking at a variety of options, as I was indicating, we've discussed also this particular issue of how we should go about setting out our expectations with respect to attendance at school. I know there have been some discussions with our colleagues in Education.

What we are trying to get to is a situation in which we can describe an expectation that these young people be in attendance at school, again recognizing that there may be individual circumstances and periods of time which could legitimately explain why they may not be in school, if there have been particularly, for example, instances of abuse etc and situations in which young people may need some counselling and some help, and which may very justifiably explain absences from school.

Beyond that, our expectation would again be that these young people be in school, and I think that in the implementation of the clarified criteria, if you will, we are working towards, it would be our intention to work not only with our colleagues centrally in the Ministry of Education and Training but also locally with school boards in ensuring that there is some connection at the local level between our officials and those from the relevant school boards to ensure that this is applied then in a consistent and fair manner.

TRUANCY

Mrs Dianne Cunningham (London North): My question is for the Minister of Education and Training, and interestingly enough it's one that relates to the question of my colleague in the Liberal Party. On March 31st I asked the minister what his current position was with regard to truancy. These are habitually absent young children whom we're concerned about, not just taking a day off—it's been well documented—but often with social and emotional problems and often high-risk for becoming involved in other types of illegal activities.

Mr Ernie L. Eves (Parry Sound): In two and a half months—

Mrs Cunningham: It's been a couple of months, as my colleague from Parry Sound would advise you, and I'd like to ask you if you did review the documents I sent over to you, one of which is Understanding the Needs of School Avoidant Youths, put out by the Family Court Clinic researchers in London. If you have taken a look at them, what is your position on truancy and are you working with the Minister of Community and Social Services, because quite frankly, Mr Minister, he did have those recommendations and it was his ministry that has held up any progress with regard to this issue.

Hon David S. Cooke (Minister of Education and Training): I have had a chance to review the documents and wanted to have the opportunity to discuss them in more detail with the member. Obviously, when you ask what my position is on truancy, I'm opposed to it. That's about as clear as you can get. But I'd certainly like to discuss in more detail some of the items that are raised in the documents she presented to me.

Mrs Cunningham: I appreciate the humour on behalf

of the minister, but I know he was just doing that because he's in a particularly good mood for some reason today and also that he does take this issue very seriously, because if he's read it, that's more than I can say for others who have been in the Legislative Assembly with me for the past six years, and I will chastise the Liberal Party in this regard because we asked them these same questions.

What we need are changes to the Education Act, Mr Minister, and I hope you will take a look at the letter from Mr Steve McCann, if you can make a note of this, who was chairman of the habitual absence committee for the Ontario Association for Counselling and Attendance Services. I think he wrote you a very informative letter describing some progresses that were made.

He would like to meet with you, and my question is—I'm not sure—have you met with him? If not or if so, perhaps you could describe to this House what priority you're giving this issue within the ministry and if indeed you do plan on making some changes to the Education Act with regard to habitual absence of these young people, whom we're most concerned about, because we know in fact that they are the very young people who are becoming involved in other types of illegal activity.

Hon Mr Cooke: Any amendments to the Education Act that would come forward in a comprehensive way would come after the royal commission, so I'd certainly be willing to meet with you and Mr McCann and talk about this issue in more detail.

AIR QUALITY

Mr Gary Malkowski (York East): I have a question for the Minister of Environment and Energy. The official opposition has criticized the government for doing nothing about air quality in Ontario. With the summer approaching, everyone is more conscious of air quality, and they are worried about the thinning of the ozone and want to know what we are doing. Minister, what initiatives has MOEE taken to deal with ozone-depleting substances?

Hon Bud Wildman (Minister of Environment and Energy): I appreciate the member's interest. This is of course a very important issue, as the thinning of the ozone layer has ramifications for UV radiation and the effects on young people and others in our communities as the summer approaches.

1500

I'm sure the member is aware that we have taken action; that 90% of the ozone-depleting substances, CFCs and HCFCs in refrigerants, have been regulated in this province and that there is now a halons regulation out for public comment, which will be dealt with when we have completed that process, and that we are very close to dealing with the last 10% of ozone-depleting substances in this province, that is, sterilants and the other solvents. We will be promulgating a regulation very soon after we've completed the public comment process on those two substances.

Mr Malkowski: There are other air concerns that Ontarians have, particularly about smog. What has the ministry done to deal with this issue of smog?

Hon Mr Wildman: Obviously, smog and air quality is very important. The member will know that 50% of the smog-producing VOCs and NO_x in Ontario are trans-border; they come from the United States. It's important that if we're going to be able to encourage our United States neighbours to control the smog-producing substances in their jurisdictions, we have to take action here.

The member will know we have initiated a vehicle inspection and maintenance program pilot project; that we have a stage 1 vapour recovery program in place; that today the dry-cleaning regulation is coming into effect; that we are moving to control the nitrous oxide and the volatile organic compounds in the province. Ontario Hydro is controlling its emissions by 40% by the year 2000, and the chemical producers are controlling theirs by 22% to 33%.

CHILDREN'S SERVICES

Mrs Yvonne O'Neill (Ottawa-Rideau): My question is to the Minister of Community and Social Services. Mr Minister, I'm happy that children have come up in this Legislature more lately than in the past; I'm not happy with the circumstances under which the children come up in this Legislature.

As you likely know, the committee on social development, the standing committee of the Legislature, is at the present time studying the subject of children at risk. We have had many presenters come to us that work in the field as well as people who are served by the children's services branches of the agencies.

My question to you today is, when are you going to meet with these people meaningfully? When are you going to give them definite answers about their base budgets, about programs you can approve? They have all of these services on hold. Most of them are working in great areas of uncertainty. They can't plan for 1994, let alone 1995. Children's mental health services are in chaos, and the CASs are hanging on by a thread. Mr Minister, can you help them feel more secure?

Hon Tony Silipo (Minister of Community and Social Services): I want to tell the member, as I'm sure she knows, that we've had one recent discussion with representatives from the various provincial umbrella organizations, including clearly the children's services provincial organizations, a couple of weeks ago. We indicated to them at that time that we were going to make some changes with respect to the children's ECP measure, which I know is at the basis of at least part of the question that the member has asked.

We indicated then that of the \$13.7 million that was going to be coming into effect as a constraint this year to the budgets of children's services agencies, we were going to be able, as a ministry, to manage about half of that money and that the balance would have to be found either by what would turn out to be about a 1% reduction in the budgets of the children's services, which would compare to about a 2% reduction, which was what the total \$13.7 million would amount to or, on the other hand, a 0.5% reduction across all agencies of the ministry.

We think that we can manage the situation more likely on the latter front, but we are finalizing those decisions and will be communicating very shortly with agencies right across the province.

The Speaker (Hon David Warner): Could the minister conclude his response, please.

Hon Mr Silipo: What we expect to see, Mr Speaker, is a process of discussion locally that would allow agencies, both in the children's services sector and in the rest of the sectors, for that matter, to work together to see how they can find some of these savings collectively so they don't have to necessarily come out of the individual agencies' budgets.

Mrs O'Neill: My supplementary has to do with other areas of children's services. I have heard as recently as this week that you are going to change the criteria for the subsidy for child care spaces. I would like you to confirm that. If so, could you tell us what the new criteria will be for the subsidized spaces of child care?

Hon Mr Silipo: I'm not sure what the member is referring to. As the member will recall, under Jobs Ontario Training we had broadened the criteria, and certainly we had looked, even after we had broadened those criteria, at the possibility of broadening them even slightly beyond that when we had to make the decision to restrict the number of additional spaces to grow up to 14,000 spaces, which is what we expect will happen during the course of this fiscal year. So there will be an addition of some 4,000 spaces in the system.

That will essentially fall under the whole umbrella of the existing criteria, which go right from the original Jobs Ontario criteria of people being in Jobs Ontario Training to those falling under the expanded criteria to, indeed, those falling even outside those criteria who come on board as a result of new centres that are built. That is something that will remain as it has. We had set it up as the policy of the ministry and we're not anticipating at this point any significant changes to that policy.

CONFLICT-OF-INTEREST LEGISLATION

Mr Allan K. McLean (Simcoe East): My question is for the Minister of Municipal Affairs and it concerns his Bill 163, the government disclosure of interest act, which replaces the existing Municipal Conflict of Interest Act.

You will require members of municipal councils, school boards, public utilities, commissions and police villages to file within 60 days of either being elected or appointed a detailed financial statement containing a disclosure of assets, liabilities, sources of income and financial interests of that individual, the individual's spouse or minor children, as well as companies controlled by any of them.

Minister, how can you justify this double standard in which your government is bringing the whip down harder on municipal officials than on members elected to this Legislature?

Hon Ed Philip (Minister of Municipal Affairs): The member is wrong. The standards that are applying to the municipalities are no more onerous than those applied to members of this Legislature. I guarantee it. He should read the act again.

PETITIONS

SEXUAL ORIENTATION

Mr Hugh O'Neil (Quinte): I have three petitions that are lumped together from the Queen of the Most Holy Rosary parish in Belleville, the Maranatha Christian Reformed Church in Belleville and St Joseph's Church in Belleville also. The petitions read:

"Whereas in our opinion the majority of Ontarians believe that the privileges which society accords to married heterosexual couples should not be extended to same-sex relationships; and

"Whereas for the government to use our tax money to furnish contributions for the propagation of practices which we sincerely believe to be morally wrong would be a serious violation of our freedom of conscience; and

"Whereas redefining 'marital status' and/or 'spouse' by extending it to include gay and lesbian couples would give homosexual couples the same status as married couples, including the legal right to adopt children; and

"Whereas the term 'sexual orientation' is vague and undefined, leaving the door open to demands for equal treatment by persons with deviant sexual orientations other than the practice of homosexuality;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We request that the Legislature not pass into law any act to amend the Human Rights Code with respect to sexual orientation or any similar legislation that would change the present marital status for couples in Ontario."

1510

Mr Leo Jordan (Lanark-Renfrew): "To the Legislative Assembly of Ontario:

"We, the members of Our Lady of Fatima Church in Renfrew, Ontario, forward 368 letters to our member, Leo Jordan, to be presented as a petition against Bill 167.

"Whereas every individual deserves to be treated with respect and dignity;

"Whereas each individual has the right to be protected from unjust discrimination; and

"Whereas procreation and the rearing of children involve responsibilities and sacrifices that are assumed by the majority of heterosexual couples; and

"Whereas homosexual relationships are not and indeed cannot be conjugal relationships;

"Whereas spousal benefits are intended primarily to help these men and women raise their families, same-sex couples do not need or qualify for support;

"We, as citizens, want the members of the provincial Parliament of Ontario to see that the traditional family be protected and fostered as the foundation of human society, as it was meant to be, and that the International Year of the Family be honoured and respected."

This is supported by 368 letters from the Lady of Fatima parish in Renfrew. I affix my signature.

Mr Kimble Sutherland (Oxford): I have a petition to the Legislative Assembly of Ontario that was brought in to me by Don MacPhail and Ralph Mooney. They were in the members' gallery yesterday, along with some

other people who support the petition. The petition is like many others. It says:

"We, the undersigned, as believers in the Lord Jesus Christ and citizens of Ontario, appeal for the Legislative Assembly to support the following." It goes on and says about how "Canadians believe in traditional family values" and that Bill 167, in extending privileges, undermines traditional family, moral and economic wellbeing of the province and is contrary to Holy Scripture. They cite Leviticus, chapter 20, verse 13, and they end up by saying, "Therefore, your petitioners request that the Legislative Assembly do not enact any legislation which would recognize, approve or support in any way same-sex relationships."

There are 39 names on this petition.

KETTLE ISLAND BRIDGE

Mr Gilles E. Morin (Carleton East): I have a petition which has been sent by residents from Manor Park, part of my constituency:

"Whereas the government of Ontario has representation on JACPAT (Joint Administrative Committee on Planning and Transportation for the National Capital Region); and

"Whereas JACPAT has received a consultants' report recommending a new bridge across the Ottawa River at Kettle Island which would link up to Highway 417, a provincial highway; and

"Whereas the city and regional councils of Ottawa, representing the wishes of citizens in the Ottawa region, have passed motions rejecting any new bridge within the city of Ottawa because such a bridge and its access roads would provide no benefits to Ottawa but would instead destroy existing neighbourhoods;

"We, the undersigned, petition the Parliament of Ontario as follows:

"To reject the designation of a new bridge corridor at Kettle Island or at any other location within the city of Ottawa core."

I will affix my signature to this petition.

SEXUAL ORIENTATION

Mrs Margaret Marland (Mississauga South): "To the honourable Ontario provincial Legislature and Parliament assembled:

"We, the undersigned Canadian citizens of Ontario, draw the attention of the Legislature to the following:

"Whereas the Canadian Charter of Rights affirms Canada is founded upon the principles which recognize the supremacy of God; and

"Whereas the basic cell of Canada's free and responsible society under God is the family, the union of male and female in a permanent, loving relationship in marriage and the children which may result from that union; and

"Whereas the rights of consenting adults to pursue their sexual preference in private are protected under Canadian law; and

"Whereas a homosexual lobby seeks legislation redefining the meaning of 'family,' 'marriage' and 'spouse';

"Therefore, your petitioners request that:

"(1) The present provision of the Canadian Charter of Rights, which affirms and protects the God-given inalienable rights of all citizens, be applied equally to all; and that

"(2) The demands of the homosexual lobby for the legal recognition of their legitimacy be firmly rejected; and that

"(3) The demands of the homosexual lobby for same-sex spousal benefits, including their right to adopt children and the redefinition of 'family,' 'marriage' and 'spouse,' be forthrightly rejected."

I am happy to sign this petition.

Mr Rosario Marchese (Fort York): I have a petition to the Legislature of Ontario:

"Whereas the Roman Catholic archbishop of Toronto has asked church members to register their opposition to Bill 167; and

"Whereas many Catholics disagree with the archbishop's pastoral letter on this legislation; and

"Whereas we wholeheartedly support extending full human rights to all our brothers and sisters in Christ; and

"Whereas providing same-sex couples with the same rights and obligations as other families will strengthen society;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the Legislature pass Bill 167, An Act to amend Ontario Statutes to provide for the equal treatment of persons in spousal relationships."

I affix my signature to that.

Mrs Joan M. Fawcett (Northumberland): I have a petition from several members of my riding who belong to the Christian Social Morals Action Committee, and it is to the Legislative Assembly of Ontario.

"Whereas we, as a God-fearing people, are opposed to the victimization of persons on grounds of sexual orientation; and

"Whereas we, however, believe that attempts to establish and/or promote homosexual relationships as viable alternatives to heterosexual-based family do not conform to God's will for society; and

"Whereas Canadian law as established by the Ontario Court of Appeal (Haig vs Canada 1992) prohibits discrimination on the basis of sexual orientation;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to enact legislation to prohibit homosexual persons from adopting or raising children."

I've signed the petition.

Mr Cameron Jackson (Burlington South): I beg leave to present a petition from 2,000 petitioners addressed to the Parliament of Ontario.

"We, the undersigned Canadian citizens of Ontario, draw the attention of the Legislature to the following:

"Whereas the Canadian Charter of Rights affirms Canada is founded upon the principles which recognize the supremacy of God; and

"Whereas the basic cell of Canada's free and responsible society under God is the family, the union of male and female in a permanent loving relationship in marriage and with children which may result from that union; and

"Whereas the rights of consenting adults to pursue their sexual preference in private are protected under Canadian law; and

"Whereas a homosexual lobby seeks legislation redefining the meaning of 'family,' 'marriage' and 'spouse';

"Therefore, your petitioners request that:

"(1) The present provision of the Canadian Charter of Rights, which affirms and protects the God-given inalienable rights of all citizens, be applied equally to all; and that

"(2) The demands of the homosexual lobby for the legal recognition of their legitimacy be firmly rejected; and that

"(3) The demands of the homosexual lobby for same-sex spousal benefits, including their right to adopt children and the redefinition of 'family,' 'marriage' and 'spouse,' be further rejected."

I have affixed my signature.

Mr Gary Wilson (Kingston and The Islands): I have a petition that begins:

"To the Legislative Assembly of Ontario:

"Whereas every day in our province lesbians and gays face legal discriminations such as not being able to see their partners in hospital, losing custody of children they have raised or paying into employment benefit plans and being barred from receiving the benefits they pay for; and

"Whereas every Ontarian deserves to be treated the same way by the law; and

"Whereas Bill 167 would end state-sanctioned discrimination;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To give swift passage to Bill 167, Equality Rights Statute Law Amendment Act, 1994, same-sex benefits."

There is a range of areas represented in the greater Kingston area. The first one on the list is Vince Maloney of Kingston. I sign this petition.

Mr Bruce Crozier (Essex South): This petition is addressed to the Legislative Assembly of Ontario.

"Whereas the NDP government of Ontario has proposed Bill 167, the Equality Rights Statute Law Amendment Act; and

"Whereas the proposed changes would change the definition of 'spouse,' extend family and survivor benefits to same-sex spouses and would permit adoption by same-sex couples, as well as extend other rights and privileges to same-sex couples;

"Therefore we request the members of the provincial Legislature defeat Bill 167 at second reading."

I affix my signature to this petition.

HAEMODIALYSIS

Mr Jim Wilson (Simcoe West): I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas several patients from the town of New Tecumseth are forced to travel great distances under treacherous road conditions to receive necessary haemodialysis treatments in Orillia or Toronto;

"Whereas the government has done nothing to discourage a patchwork dialysis treatment system whereby some patients receive haemodialysis in-home and others travel long distances for treatment;

"Whereas there are currently two dialysis machines serving only two people in New Tecumseth, and one patient is forced to pay for her own nurse;

1520

"Whereas the government continues to insist they are studying the problem, even though they've known about it for two years;

"Whereas the Legislature passed Simcoe West MPP Jim Wilson's private member's resolution which called for the establishment of dialysis satellites in New Tecumseth and Collingwood;

"We demand the government establish a dialysis satellite immediately in the town of New Tecumseth."

That joins the literally thousands of names that have signed this petition, and I've signed my name to it also.

TOBACCO PACKAGING

Mr Gary Wilson (Kingston and The Islands): I have a petition to the Legislative Assembly of Ontario in support of plain packaging of tobacco products.

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains the provision that the government of Ontario reserves the right to regulate the labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces rather than act on its own to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national packaging strategy the most efficient method of protecting the Canadian public;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

I have signed this petition.

SEXUAL ORIENTATION

Mr James J. Bradley (St Catharines): I have been asked to read the following petition into the record. It's

from a number of people in the Niagara Peninsula to the Legislative Assembly of Ontario.

"We, the undersigned, beg leave to petition the Legislative Assembly of Ontario as follows:

"Whereas the majority of Canadians believe the privileges which society accords to heterosexual couples should not be extended to same-sex relationships; and

"Whereas societal approval, including the extension of societal privileges, will be given to same-sex relationships if any amendments to the Ontario human rights act were to include the undefined phrase 'sexual orientation' on the grounds of discrimination;

"Therefore, your petitioners pray and request the Ontario Legislative Assembly not to amend the Ontario Human Rights Code in any way which would tend to indicate societal approval of same-sex relationships or of homosexuality, including amending the Ontario Human Rights Code to include in the prohibited grounds of discrimination the undefined phrase 'sexual orientation.'"

Mr David Johnson (Don Mills): I have received a petition from the Chinese Presbyterian Church, and it goes accordingly:

"We, the undersigned, beg leave to petition the Legislative Assembly of Ontario as follows:

"Christian beliefs and traditional family values recognize 'spouse' as a member of the opposite sex and 'marital status' as a sacred union between a man and a woman.

"The same-sex couples bill introduced by the Attorney General of Ontario will change the meaning of 'spouse' and 'marital status' and adversely impact our society both morally and economically.

"It saddens us to see Canada move away from its foundation of Christian values and beliefs.

"Therefore, we request that the House refrain from passing the same-sex couple bill."

I affix my name to that.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr Eddy from the standing committee on social development presented the following report and moved its adoption:

Your committee begs to report the following bill, as amended:

Bill 18, An Act to permit Patients receiving Chronic Care to install their own Television or combined Television and Video-Cassette Recorder / Projet de loi 18, Loi permettant aux malades chroniques d'installer leur propre téléviseur ou leur propre combiné téléviseur-magnétoscope à vidéo-cassette.

The Speaker (Hon David Warner): Shall the report be received and adopted? Agreed.

Shall Bill 18 be ordered for third reading? Agreed. So ordered.

INTRODUCTION OF BILLS

TOWNSHIP OF SEYMOUR ACT, 1994

On motion by Mrs Fawcett, the following bill was given first reading:

Bill Pr124, An Act respecting the Township of Seymour.

HIGHWAY TRAFFIC AMENDMENT ACT
(SLOW MOVING VEHICLE SIGNS), 1994

LOI DE 1994 MODIFIANT LE CODE DE LA ROUTE
(PANNEAU DE VÉHICULE LENT)

On motion by Mr Hayes, the following bill was given first reading:

Bill 176, An Act to amend the Highway Traffic Act with respect to Slow Moving Vehicle Signs / Projet de loi 176, Loi modifiant le Code de la route en ce qui concerne le panneau de véhicule lent.

Mr Pat Hayes (Essex-Kent): The bill rewrites section 76 of the Highway Traffic Act dealing with slow-moving-vehicle signs. The sign requirement, which currently applies only to farm machines, is extended to all slow-moving vehicles other than bicycles, motor-assisted bicycles and cars that are being towed.

However, authority is provided to make a regulation exempting horse-drawn vehicles driven by persons whose religious convictions or beliefs prohibit the display of devices such as a slow-moving-vehicle sign. Placing the sign on or near a fixed object where it is readily visible from the highway is prohibited, but an exception is made for facsimiles that are displayed for the information of highway users.

It is likewise prohibited to operate a vehicle on a highway if it is not a slow-moving vehicle but has a slow-moving-vehicle sign attached.

OPPOSITION DAY
YOUNG OFFENDERS

Mr Harris moved opposition day motion number 3:

Whereas the number of youth under the age of 18 who are charged with violent crime in Canada more than doubled between 1986 and 1991;

Whereas the criminal habits adopted by these young people may stay with them all their lives;

Therefore, this House calls on the Attorney General to publicly and vigorously lobby the federal government to, at a minimum, make the following amendments to the Young Offenders Act:

Reduce the maximum age for a young offender from 18 to 16. All offenders over the age of 16 will be tried in adult court;

Streamline the process to ensure that young offenders who commit violent crimes are tried in adult court;

Streamline the process to allow offenders younger than the age of criminal responsibility who commit violent crimes and who understand the consequences of their behaviour to be tried in youth court;

Introduce stiffer penalties for young offenders;

Remove the requirement for the province to provide legal aid to all young offenders who request it, regardless of financial circumstances or the nature of the charge;

Once a young offender has been convicted of two offences, any subsequent offence will be tried in adult court and subject to a criminal record, as well as removing the publication ban on identity;

Mandatory counselling for all young offenders; and
Parents must make an appearance during a young offender's trial.

The Speaker (Hon David Warner): The honourable leader of the third party has moved opposition day motion number 3, a resolution which stands in his name.

Mr Michael D. Harris (Nipissing): Carried.

The Speaker: Before carrying it, perhaps the leader of the third party would like to address a few remarks to the House.

Mr Harris: I know there are a number within my caucus who wish to speak on this issue so I will be brief, as in all our opposition day motions. I know that members have some thoughts that they feel very strongly about.

Today's motion is a response to the concerns Ontarians have expressed to me over the past several years about the fact that they no longer feel as safe as they used to in their homes. They don't feel as safe in their own neighbourhoods. They are increasingly worried about the safety and security of their children in school and the fact that an imbalance has developed, an imbalance in the justice system between the rights of the accused and the rights of victims, the rights of society.

1530

My caucus and I travelled this province extensively. We had open houses, we had hearings, we had questionnaires. We heard from those directly involved in the justice system in preparing our document, New Directions, Volume Three, and in that document we made a number of substantial recommendations to the government of Ontario. Some were within the exclusive jurisdiction of the province of Ontario, some were joint federal-provincial and some were federal with serious implications for the criminal justice system in Ontario.

The fact of the matter is that other than the federal government now coming forward with some changes to the Young Offenders Act, we've had very little movement on behalf of this government in the areas we made recommendations on.

Interestingly enough, the majority of the recommendations dealt with preventing crime, dealt with involving neighbourhoods and communities, dealt with counselling, dealt with preventing crime from taking place in the first place. These were areas where we thought the government, in our view, had sent out signals that they're soft on crime, that they don't feel deterrence is an effective way of stopping crime. We thought the government would have moved on a majority of the recommendations. It seemed consistent with some of the things they talked about. We're very disappointed that there has been no movement even on those recommendations where we thought the government would have had some sympathy.

However, we have a situation today where the Young Offenders Act is under review. We believe it is very important that the Attorney General, the Premier and the cabinet of the province of Ontario reflect the views of Ontarians, not their own personal views but the views of Ontarians, because I can tell you, Mr Speaker, from the rhetoric we've had from this Attorney General, she is not

speaking for the views of Ontarians who have spoken to me, who came to our open houses, who are writing me, who have concerns about the Young Offenders Act. The Ontarians I've talked to feel crime has worsened and they're right: violent crime has. They don't feel safe in their communities.

It's interesting that public confidence in the whole criminal justice system is deteriorating to a point where a system that was one of the great magnets for people to come and want to live and grow up and work and raise families in Ontario is now moving in the wrong direction, is now moving towards becoming a liability.

More than a third of women in this province say they're afraid to walk in their own neighbourhoods—afraid to walk in their own neighbourhoods. This is not the Ontario I grew up in. This is not the Ontario we want. In my view, this is a priority that has been overlooked by the government. It's a sad comment on the level of public confidence in the justice system and we need to correct that.

Seventy-eight per cent of the people in this province believe that our criminal laws are too lenient, and a major cause of this erosion in public confidence in the justice system and in the sense of community safety generally has been the Young Offenders Act.

The Young Offenders Act has, with good reason, become a symbol of many of the ills which plague the justice system and the courts. It's become a major source of frustration for parents, for police and the young people themselves, all of whom must deal with the perception among hoodlums and gangs that the Young Offenders Act is nothing more than an inconvenience. It's not a deterrent; it's an inconvenience. It's a joke. They laugh at it. We've got to change. We've got to change the act. We've got to change that perception among young people.

Ontarians, I believe, have a right, and they are right, to be concerned about the impact of the Young Offenders Act on youth crime.

In 1986, the first year's statistics were collected for youth crime in Ontario. There were 3,885 charges laid against young offenders for crimes of violence. In 1992, six years later, that number had more than doubled to 8,463, an increase of 100% in young offenders' violent crimes. More worrisome is the fact that the number of weapons charges involving young people has also ballooned. In 1986, 1,087 weapons charges were laid against Ontario youth; in 1992, 2,352 charges involving weapons.

It was in response to these concerns that we formed the task force over a year and a half ago. We travelled the province, we listened to the views of Ontarians and during our travels we learned that not only do people perceive crime to be on the rise, but most Ontarians, including youth itself, consider the Young Offenders Act to be a sham.

In New Directions, Volume Three, we called for specific reforms to the Young Offenders Act, including tougher sentences for offenders, increased parental responsibility for their children's actions, automatic

transferral of young offenders to adult court for trial of violent crimes and mandatory rehabilitation for drug- or alcohol-related offences.

Unfortunately, while the federal government has introduced several important changes, it has ignored some areas, and we see room for much more improvement.

Until the passing of the Young Offenders Act in 1985, the maximum age for discipline in Ontario under the Juvenile Delinquents Act was 15 years old; 16- and 17-year-olds were considered adults for purposes of trial in a court of law. On page 22 of New Directions, Volume Three, we call for a return to that system.

At this point in time, section 11(4)(b) of the Young Offenders Act requires that on request of the youth, the province provide legal aid regardless of the family circumstances. We do not agree with this approach. That's not the way legal aid is made available to adults. We think it is a complete abdication of parental responsibility. The new changes to the Young Offenders Act do not deal with this.

We noted in the Common Sense Revolution that legal aid funding has doubled from \$124 million in 1989 to \$249 million in this year's budget, and they see this as a way to cut costs. This one provision of the Young Offenders Act is costing Ontario taxpayers about \$5 million this year.

The administrator for Ontario legal aid says there is no reason for it. Parents can pay these costs. If parents are unable to, the poor youth will pay, as we do now, with legal aid. But for some reason or other, when they brought in the Young Offenders Act, they said all the rules for who has ability to pay are out the window. The youth can just go and get legal aid, whether or not their families can pay. This has to change.

Ontarians have told us, as we travelled this province, that they want more parental responsibility, more parental accountability. This should be reflected in the Young Offenders Act as well. We've advocated increased parental responsibility in the House, in New Directions, Volume Three, on pages 11 and 12, and we'd like the provincial government now to lobby the feds to require at least one parent to make an appearance at a young offender's trial, as well as accepting the financial responsibility if the parents are in a position to do so. We raised this in a question in the Legislature on May 30, and we got what? No action from the Attorney General.

Ontarians I've talked to believe that parents must take more responsibility for their child's actions. I tell you that they see the decline in parental responsibility as a contributing factor to the increase in youth crime. If we're going to be on the offensive on prevention, we must start to hold parents accountable as well. The federal government changes do not address or increase parental responsibility. The Attorney General has been silent on this issue. That is not representing the views of Ontarians.

We call for stiffer penalties for young offenders, and in fact for violent crimes some of the penalties are increased. However, for others there is no comment at all. It's going to be a slap on the wrist. It's going to be the

beginning of the start into a life of crime. This is what young people are telling us. They're saying: "We know we get a free one. We know the first offence is a free ride. Our peers tell us that." The pressure is on then. Sometimes the second and the third one is a free ride as well.

1540

Currently there are programs in some jurisdictions that transfer automatically to adult court any young offender who has had two offences where they've been convicted and they're charged with a third, no matter what the charge. This three-strikes-and-you're-out philosophy may well act as a deterrent to youth who see the youth court now as a joke. That was another of the recommendations we put forward that the Attorney General dismissed out of hand.

Two convictions already—they're laughing at the system—and charged with a third. It's time to stop the laughing, the joke. It's time then to send that youth on the third charge to adult court so he can recognize the seriousness of repeatedly committing crimes, of becoming a habitual criminal here in Ontario.

The new legislation calls for mandatory psychological or medical assessment of any youth convicted of a crime. Under the current Young Offenders Act, the youth has a right to refuse rehabilitation. This is not a mandatory rehabilitation program; this is assessment. In *New Directions*, Volume Three, we call for mandatory drug and alcohol rehabilitation programs for offenders charged with related crimes. That's on pages 11 and 12 of our document.

Perhaps one of the saddest stories I heard was from a young person who was speaking on behalf of a coalition of groups, calling, as part of penalties, for mandatory treatment, particularly for alcohol- and drug-related offences. This young person had been convicted four times of driving while under the influence of alcohol. On the fifth occasion, he got six years in jail. On the first four, he got no jail; he got no rehabilitation; he got fines. On the fifth occasion he got six years in jail because he killed two people.

He pleaded. He begged. He begged politicians to come forward and said: "Had I had to go to jail sooner, had there been more of a deterrent, had I realized the seriousness of the crime, had I been forced, upon first or second or third or fourth conviction, to take a mandatory course, maybe two more people would still be alive today in Ontario. Maybe I wouldn't have killed two people and had the fifth conviction."

We are calling on the Attorney General to speak up now, to lobby the federal government while the changes are going through, that we have mandatory rehabilitation programs as part of the sentencing for drug- and alcohol-related offences.

I want to provide as much time as I can for others to speak on this resolution. I am calling on all members of the House to reflect on the recommendations we made in *New Directions*, Volume Three. These are recommendations that came from the people. These are what Ontarians told us they want, what they need, what they require.

Young people themselves are telling us this as well. If we're going to take back our streets, our neighbourhoods, our communities, if we are going to truly give young people a chance in this province, I'm asking this Legislature to pass this motion today and I am asking the Attorney General to represent the views of Ontarians as reflected in this motion to the federal government.

Hon Marion Boyd (Attorney General): I've been interested to listen to the leader of the third party on this motion. He is quite right that the approach the Progressive Conservatives would take to this matter is considerably different than the approach we would take. However, he has quite systematically misrepresented the position that this government has taken, and I would like to take this opportunity to discuss very clearly what our position is.

In beginning that, however, I'm not surprised by the attitude taken by the Progressive Conservatives at this point in time, because at the time the Young Offenders Act came into being, Ontario took a position that made it very difficult for that act to be effective in terms of youth crime within this province, unlike our sister province of Quebec, which entered wholeheartedly into the administration of a youth justice system, put the resources into that youth justice system and then has worked since to ensure that that youth justice system acts both preventively and in a deterrent fashion.

This province chose instead to be somewhat equivocal in its response. One of the things that it did, because of course it did not agree that children between the ages of 16 and 18 ought to be treated in a youth justice system, was to use the system of split jurisdiction that we still have in this province, where those between the ages of 16 and 18 were looked after by the adult correctional services system with some obvious concessions in order to meet the needs of the Young Offenders Act, whereas all offenders under the age of 16 were dealt with by the Community and Social Services ministry and in quite a different context. In its very administration of the act, the then government set up a situation which tried to preserve what it believed ought to be the law of the land, rather than what was the law of the land.

Part of the issue we are dealing with is whether or not we believe that young people who commit crimes ought to be treated differently from adults who commit crimes. Our decision in this country, with the advent of the Young Offenders Act some 10 years ago, was that indeed the needs of young people are different, that the circumstances of their crimes are very often different and that the circumstances which lead to their rehabilitation are likely different.

One of the goals we share with the federal Liberal government is to maintain the spirit of a youth justice system but to make that youth justice system more effective, because where we do not differ with the Progressive Conservative Party is in its belief that the system now is not effective in preventing further crime and is not effective in deterring crime by many of those who come into the system.

Our position has been grossly misrepresented by the leader of the third party. We are very much a part of an

agreed action by all attorneys general across this country to examine very carefully the Young Offenders Act and to find ways together to make it more effective.

I have been very clear that many of the actions we've already taken in terms of administering the justice system in this province are geared towards reallocating our resources and re-emphasizing our approach to the most serious kinds of crimes: interpersonal crimes, crimes of violence by one person against another, which I think we are beginning to understand are the most serious crimes in our society.

For many centuries, frankly, the emphasis has tended to be on property crime in the development of our justice system, and it is really only in the last 25 years that we have begun to understand that we need to put the emphasis on serious interpersonal crime, on the kind of violence of one person against another that is very serious and very long-reaching in its effects.

Many of the ways in which we have been altering the justice system, through administrative means, through the kind of allocation of resources in the system, is to effect some of that change more quickly. We welcome the actions of the federal government in saying that we must recognize the need, if we are going to put that emphasis on serious violent crime, on the deterrent effect of sentencing, on the way in which we are going to prevent crime, on the way in which we are going to deal with less serious crimes early on, because very often the young person who is allowed not to feel the consequences of those early criminal actions may be the one who ends up committing a more serious crime in the future.

1550

There are a number of different suggestions the member from the third party has made that I would like to deal with first. The part of his motion that calls upon me "to publicly and vigorously lobby the federal government to, at a minimum, make the following amendments..." is quite offensive, because I believe it is not necessary to lobby vigorously when there already is agreement between the federal government and this provincial government.

We are working together very hard. We are working together in concert with the other ministers to try and look at this act in a sensible way, to look at what really has been the case and to try and make it more effective.

I will certainly pledge myself to continue to work vigorously with the federal government and with my provincial counterparts to make amendments which will make the Young Offenders Act more effective.

But I do not agree with the ways in which the leader of the third party believes that can be accomplished. His solution is to reduce the maximum age for a young offender from age 18 to age 16 and all offenders over the age of 16 to be tried in adult court. He's not talking about the kinds of offences that we agree upon with the federal government, those serious, violent interpersonal offences which indeed should be more presumptively moved to adult court. We have agreed with that recommendation the federal government has made, that amendment.

He's saying all offenders should be tried in adult court. We don't agree, unless those are on the very serious and violent end of the criminal spectrum, that this is appropriate, because very often it has the effect of hitting an ant with a two-by-four, as one of the young people I spoke to about this whole situation characterized it.

Let me talk about our position in terms of the transfer. The federal government proposes a rebuttable presumption of transfer to the adult court for 16- and 17-year-old youth charged with first- and second-degree murder and other offences including those that involve serious personal injury. I'll read to you from our letter to the federal Minister of Justice indicating our response.

"Ontario believes that the transfer provisions are a critical component of the Young Offenders Act. They allow for sentences which reflect the serious nature of some offences. Ontario supports a rebuttable presumption of transfer to adult court for 16- and 17-year-old youth charged with first- and second-degree murder. We are, of course, assuming that you will proceed with your proposal to increase sentence lengths for murder in youth court.

"Ontario shares your view that, in addition to murder, offences involving serious personal injury by 16- and 17-year-olds should be dealt with more effectively. We support in principle the extension of the presumption to other offences involving serious personal injury, but we will require some clarification as to precisely which very serious offences would be included before we comment further."

We now know that those offences include weapons offences, aggravated sexual assault, aggravated physical assault. We are supportive of those inclusions in a presumption of transfer.

We also agree with the additional move the federal government has made which says there will be a reverse onus on young people to prove why they should not be tried in adult court in those circumstances. Young offenders will be given an opportunity to allow a court to hear the circumstances in which such crimes occurred, and a judge will make a decision based on the facts of that particular case, whether in fact a transfer to adult court is indeed in the best interests of deterrence or whether the same result could be dealt with better in youth court.

We don't know what the circumstances are of every case that comes before us, but as the member from Burlington pointed out earlier today, many young people who subsequently commit offences are very offended against themselves. Many of them have been the victims of sexual assault, many of them have been the victims of physical abuse, and it may well be that it will be in the best interests of a young person to have that kind of evidence laid before a court. It may well be that the kind of resources available to a youth court are more appropriate in certain cases, but the onus will be on the young offender and counsel to prove to the best knowledge of the judge that in fact that is in the best interests.

The other issue we asked to be addressed was, if we're going to have a presumption of transfer to adult court, where will they serve their sentences and how will we deal with the issue of transfer? It is not necessarily

always in the best interests of young people, because they have been tried in adult court, to be incarcerated in an adult facility. That runs counter to the very nature of a youth justice system, which recognizes the specific developmental needs of young people and recognizes that the kind of treatment which may result in rehabilitation may be different for those young people.

In my letter of May 9 I indicated our position to the Minister of Justice:

"The issue of where transferred youth can serve their sentences must also be addressed. Ontario believes that transferred youth who are 18 years of age at a time of sentencing must not be placed by the courts in young offender facilities, and in addition, transferred youths should not remain in a youth facility beyond the age of 20."

We've run into many difficulties around where someone will be incarcerated when that transfer occurs, and the suggestions of the federal minister in the amendments that have been presented resolve some of those issues.

With respect to increased maximum sentences, we have been very clear—we were in our letter and have been since—that we do support an increase in the maximum sentences, but we want us to be very careful about how that applies. I again quote from my letter:

"The existing maximum sentence in the Young Offenders Act does not reflect the seriousness of the offence of murder. Ontario supports the proposed longer sentences in youth court. We also feel that the longer sentences must be accompanied by the proposed presumption of transfer. If sentences are increased without the presumption, courts may be reluctant to transfer even the most dangerous 16- and 17-year-olds to adult courts.

"Longer sentences in youth court will mean that jury trials will have to be held. Of the options put forward by your officials, we prefer the one that allows youth to have an election of trial by judge alone, in which case the judge would be provincially appointed, or by a judge and jury, in which case the judge would be federally appointed.

"Ontario supports an increase in parole ineligibility for youth convicted of murder in adult court. We would be interested in knowing what the actual increase will be, whether it will be different for first- and second-degree murder and the other offences and whether a judge will have some discretion in determining the parole eligibility date in individual cases."

So the characterization of our not being cooperative or supportive of these changes is simply not the case.

I go on to the whole issue around the removal of the requirement for the province to provide legal aid to all young offenders who request it regardless of financial circumstances or the nature of the charge.

As the member for Burlington pointed out today, many of the young people who appear in our courts are themselves the victims of abuse. It may not be in the best interests of young people who are in abusive situations in their families to be dependent on those families to provide them with legal assistance if they become embroiled in the criminal justice system. That was of

course the purpose behind the section in the Young Offenders Act which clearly indicates that it may in fact be a conflict for parents to be responsible for the legal costs of children.

1600

But we do have in this province, with our legal aid plan, a way in which there is a means test for young people. We do have that in place, and it is up to the director of legal aid in each individual case to determine whether or not that situation warrants a legal aid certificate.

I would be loath to suddenly change that without a great deal more consultation with the legal aid directors about why that kind of decision is being made. Quite frankly, I share with the member a concern that if there are means in the family and if in fact a young person has the support of his or her parents and is facing a criminal action and those resources are there and available, it is appropriate for those costs to be met by the family.

I think, as I said the other day in this place, that what we must look at are the circumstances under which the best interests of that young person in front of the court are going to be served. I have no reason, on the information I have, to assume that this is not the case in all instances, but I have said that this is one of the issues we must be prepared to look at in our year-long study of the YOA: Is this being applied differently in Ontario than it is in other jurisdictions, and what is it that in other jurisdictions ensures that the best interests of children are being preserved while the legal aid system is being made effective? Those are the kinds of questions we want to answer in that study.

When the member of the third party suggests that parents must make an appearance during a young offender's trial, he seems unaware that now in the act a parent is supposed to attend at trial. In fact, the parent can be subject to contempt of court if that does not happen. However, there are many instances in which, because of the nature of the family out of which a young person may come, the courts do not insist upon that kind of presence because it may be detrimental to that young person, and the court is insistent on respecting the rights of the accused in these cases.

I would say that a mandatory appearance, although it may be attractive at first glance, may not be the right route to go. Rather, I think our problem is, how can we get parents more involved in the day-to-day actions of their children? How can we ensure that they are aware of what is happening to their children and that they are taking an active role in their children's lives? Those are issues for which I'm not sure the criminal justice system alone can take responsibility.

I think the kind of action being taken in the education system to try and get parents more involved at an earlier stage in the education of young people, to get them involved in the programs being taken against violence in the schools, to become more involved in the administration of programs within schools, those kinds of programs, those socially based, educationally based programs, are how we will get parents, first, more aware of what their young people are doing and, second, more involved in

their lives in a very real way, whether or not they're facing a crisis.

I would say, however, that this is an issue that has been raised by other jurisdictions. There has been a number of different suggestions that have come forward from different jurisdictions, and they will be looked at in the comprehensive study of the Young Offenders Act to see whether there are some new suggestions that can make more effective the role of parents, or parent substitutes where that's appropriate, during a young offender's trial.

I need to speak to the issue of under-12-year-olds, this issue of lowering the age of those who are under the Young Offenders Act. First of all, there is no identifiable need for 10-year-olds to be covered by this act. There are very few cases where children as young as 10 commit serious crimes that require the kind of sanctions that are available under the Young Offenders Act. Obviously, where that happens we need to have some mechanism to deal effectively with someone who commits a crime who is that age.

In our province we believe the provisions available under the Child and Family Services Act and the Mental Health Act can be put into effect if the child commits a serious crime and is not covered by the Young Offenders Act. We would agree with the federal government's decision not to lower the minimum age under the Young Offenders Act.

The needs of youth are very different from those of adults. Their levels of maturity and responsibility are different. We expect different things of young people than we do of adults. Youth are impressionable, they are open to change and they're better able to learn new behaviours than we are as adults when we've repeated behaviours and they have become habitual.

We have a youth justice system that treats young people differently because there are significant differences in how we approach the rehabilitation of youth as opposed to the rehabilitation of adult offenders. Mixing young offenders with adult offenders may have serious long-term and negative effects on youths. Mixing adult offenders and young offenders often serves only to turn young offenders into hardened criminals.

A youth justice system puts more emphasis on treatment and education than the adult system does, although I would argue that some of the principles of the youth justice system need to be transported into the adult system rather than the other way around. Young people are still in need of guidance and direction, and they can benefit from a system that is more geared to their needs for rehabilitation.

In 1849 the Brown commission, which was then looking at the imprisonment of children in Kingston Penitentiary, noted the detrimental effects of housing children with adults. Frankly, it would be a shame if the effect of some of the reforms we were to make might move us into a system where that becomes the rule and the needs of youth were once more ignored.

The last item I would like to speak to is this notion that a young offender has two chances and then he's out.

This kind of punitive approach to justice has been used in a number of jurisdictions, and there is absolutely no statistical proof or sociological proof that this kind of approach prevents further crime from happening or deters the actions of any individual. It is really important for us to recognize, particularly when we are dealing with young offenders, that very often it is the lack of support rather than the lack of punishment which has led them to the courts in the first place. That impacts very clearly on the whole issue of how we deal with their privacy, how we deal with their reputations.

There have been changes suggested in the Young Offenders Act in this first stage of changes around how we can deal with the availability of information about the criminal record of a young offender where that young offender is under the care of other institutions, such as the school system. It is important, I believe, for us to learn how to share that information in a way that is protective of the young offender, does not stigmatize that young offender but indeed acts to the protection of the whole community, particularly those who are dealing on a day-to-day basis.

So we disagree with the notion of completely removing the publication ban on the names of young offenders but rather believe that the approach the federal government has taken, an approach we support, that would allow the police and probation officers to share on an as-needed basis, in a confidential way, the information with those who will be responsible for caring for young offenders, would be the appropriate way to go rather than the kind of scarlet-letter approach that is suggested by the third party.

I would close by saying I utterly reject the suggestion that's been made by the third party that this government is soft on crime. In fact, we as a government, as an administration, have made more applications for dangerous offender status for violent criminals than any other jurisdiction.

In fact, the federal minister observed to all of his provincial, federal and territorial colleagues that if every administration used the part of the Criminal Code that allows dangerous offenders to be dealt with in an effective way, we would not have the kind of outcry that we have about the release of dangerous offenders into the community.

1610

We have focused our attention on administering justice in a way that reallocates our resources to ensure that serious crime is the focus of our attention. We are delighted that the federal government has seen the freeing-up of those resources at the lower end of the scale of seriousness as a possible solution to the resource problem that we have.

We believe that more treatment is necessary. We don't in any way believe the calls for mandatory treatment are foolish. But as a provincial government which then, without the assistance of the federal government because of the cap on CAP, would have to provide those services, we are very clear that if we are going to make treatment mandatory for young offenders—and that would be mandatory not only for the young offender but, quite

frankly, for the treatment facilities as well. They very often are unwilling to accept these young people for treatment, and that is another problem.

So mandatory treatment involves additional resources. We have said to the federal government, as has every other province, that we don't disagree with the need for increased treatment services, but we must work together as provinces with the federal government to find ways to pay for those treatment facilities and to make them more effective.

In closing, because I know some of my colleagues also want to address these issues, I would say to the leader of the third party that he has produced a simplistic list of changes that feed into a misconception about youth crime, that feed into a growing fear that indeed is there in our communities. I would call upon him, rather than taking the punitive stance that he has taken towards young people in our province, to recognize the responsibility we all have to ensure that we are taking every step in a preventive way and in a supportive way to ensure that young people do not become embroiled in crime at all.

Mr Robert V. Callahan (Brampton South): I am pleased to join in the debate, but I'm sharing it with two of my other colleagues so I'm only going to have 12 minutes, really, to address this issue. It's a very important one.

It's interesting, reading through the motion put forward by the Conservative caucus, which now calls itself the PC caucus. I don't believe they want to be referred to or attached to that famous government that was in Ottawa for—what?—10 or 15 years that apparently did nothing about reforming the Young Offenders Act at all despite the fact that there were untold numbers of meetings, there were untold numbers of suggestions on how it might be reformed.

It's interesting as well that at this time, as we wind down towards an election time, this resolution is brought forward. It's brought forward because you can see what's going to be in the banners that are passed out during the election: "Mike Harris Gets Tough on Kids."

If the former member for Brampton, the former Premier, Bill Davis, watches this debate or gets hold of this Hansard, I'm sure he would shrink from it. I'm sure that Dennis Timbrell, who was a member of this House, would shrink from the approach that's being taken by the Conservative Party in its dihard effort to regain power.

I find it disgusting that this would be done on the backs of kids simply because the children are not able to necessarily defend themselves. I find it smacks of the typical American approach to politics that Bush took when he saw that the mood of the people of the United States was to get tough on crime.

Let's get tough on crime. But some of the proposals that are made in here, number one, have already been done. I have to draw out the fact that that was done immediately by the present Minister of Justice of the new Liberal government, but he didn't come in with the slash, hack and burn approach that much of this resolution puts forward. He came in with a reasoned approach, much like

my leader, Lyn McLeod, said: safe and secure communities.

Mr Charles Harnick (Willowdale): Which vote-getting position is it this week? Is she for same-sex?

The Deputy Speaker (Mr Gilles E. Morin): Order.

Mr Callahan: I think the proposals by my leader in terms of how we would deal with this issue have certainly influenced the federal government, because it's made many of the changes that we suggested. I would suggest that it's interesting that the Conservative caucus, the third party, while its government was in power in Ottawa, didn't seem to exercise that type of influence, nor did it care about exercising it, because nothing happened.

It was particularly revolting that there was an entire list out—and I can't go through them; time doesn't permit—of ways to deal with victims' rights. Nobody ever looks at the victims.

Mr Cameron Jackson (Burlington South): You voted against it.

The Deputy Speaker: Order.

Mr Callahan: That's totally incorrect, and if one looks at the Hansard—

Mr Jackson: You voted against it when you were the government, Mr Callahan.

The Deputy Speaker: The member for Burlington South, order, please.

Mr Callahan: If one looks at the Hansard of the day, the member for Burlington South doesn't know what he's talking about. In fact there was consensus. The way it was killed was the government of the day would not allow it to go to a committee. It wound up in committee of the whole House, which is called the death knell of any bill. So I think the member for Burlington South perhaps should look at Hansard and decide when he shouts out that we didn't vote with him; he should check it.

In any event, I find it somewhat interesting that the Attorney General has indicated to us that young people don't get legal aid without any checking out of their ability to pay. I'm going to tell you, Mr Speaker, that that is not reality. I know that in fact every young offender gets legal aid, even if their father is Rockefeller.

That's a difficult position, because that should not be the case, and I'll tell you why it's difficult. It's difficult in two ways.

The first one is that if legal aid is given to the child, the lawyer acting for the child doesn't know who his client is. He may very well be required, in fact he would be required, to not communicate anything that child told to him to the parents. He would be required to follow that child's instructions to the letter, and I suggest that in some cases that results in the detriment of that child, because that child is tried. Perhaps there are things that should have been asked about the young person. Perhaps they should have had a psychological report, perhaps the judge should have been asked to have them assessed as a person with a learning disability, perhaps a whole host of other things.

Without the benefit of having an adult to talk to, how

does that adult know how to deal with this young person who has been charged with an offence after the event? They don't, because he can't tell them anything. Accordingly, all this stuff that you learn as counsel for this young person is lost, and if the young person particularly is hanging around with a bad group or perhaps is taking drugs or a whole host of other things, you can't tell the parent that. That, to me, is absolute nonsense. That certainly doesn't help the youth and certainly doesn't fit in with the intent of the Young Offenders Act.

There are some things in here that we could perhaps agree with in Mr Harris's resolution. I think mandatory counselling for all young offenders is absolutely necessary. Most of these people who get in trouble have got some difficulty. It's either something that's happened at home or they have a learning disability or some type of disorder, attention-deficit, and it should be examined. There is provision under the act that a judge can make that order, and he should be encouraged in almost every case, but again, as I say, if counsel is told by the young offender who's his client that he doesn't want this done, it doesn't happen and nobody ever finds out about it. This person just goes whistling on their way and perhaps commits a bigger and better crime at some later stage.

I think it's interesting as well that on the question of the money that would come from, say, selling a story on a particular crime, nothing has been done by this government. A bill was introduced way back when by Mr Renwick. It was defeated by the Conservatives, who suddenly have found a new interest in dealing with the proceeds of crime. I noticed that the member for Burlington South, I believe it was, introduced a bill on that particular area. It was Mr Renwick's bill just resurrected, yet they wouldn't allow Mr Wildman's bill to go through when the Conservative government was in office.

1620

It's interesting to see these St Pauls on the road to Damascus. They've suddenly had an entirely new approach to how they're going to deal with this because they've put their finger in the air or they've checked the polls and found that people out there are concerned about the Young Offenders Act. That's no secret; any one of us could talk to our constituents and they would complain to you about the Young Offenders Act. But did they do anything about it when they had control, a huge majority in Ottawa for so long? No, they didn't, and yet the Liberal government of the day, Justice Minister Rock, in a very quick fashion took steps in a very significant way to deal with it.

In fact, much of Mr Harris's motion today has no meaning. In a way, we're going to have to, I suppose, cut out some of it or vote for some of it and vote against some of it. I haven't quite made up my mind how I'm going to vote on this, because, as I say, some of the matters are totally offensive. "Introduce stiffer penalties for young offenders." Young offenders go from 12 to 17. What are you talking about? Are you talking about the 12-year-old who steals a loaf of bread from the corner store? Are you going to give him a stiffer penalty? How about the cane, or how about putting him away?

I find that the rush for power, the desire to win back

power which they held for 42 years and lost makes these people seriously stiff-necked and rednecked. They certainly aren't the Conservative party of Bill Davis. They're not the Conservative party of Dennis Timbrell and other people. They've changed their entire approach, and it must be the American Revolution that's gotten into their blood. It must be the American advisers they've got who say, "Well, the people are ready for this type of stuff, so just go full steam ahead," and, "Everything that could have a sensible or middle-of-the road resolution, don't do that; go extremely to the right."

I guess I would do the same thing if I figured that the Reform Party was breathing down my neck and was considering introducing candidates in the next provincial election. In view of that, I suppose that's why you can feel the hot breath on the back of Mr Harris's neck. They're breathing down there and he's concerned. He doesn't want that to happen.

I've looked at Mr Harris's resolution and, as I say, I can go along with the mandatory counselling for all young offenders. That makes sense. I might even go along with, "Parents must make an appearance during a young offender's trial." The reason I agree with that is because it solves a bit of the problem of what I explained to you about counsel having as his client the young offender because of the way legal aid is given out in this province. It requires the parents to sit there and listen to what their child or their young person has done, and not be able to just avoid the consequences or to just simply say, "Well, it's not my fault," or to go off and do their own thing. They're required to sit there, and that might be good therapy. Maybe it will keep that kid out of court on another charge.

I can tell you, over the years that I practised under the Juvenile Delinquents Act, which was the precursor to this, I represented clients, and my colleagues and I had a real conundrum. You were duty bound to represent that youth to the best of your ability. So you represented him to the best of your ability; you got him off; the next thing you know—and this is a true situation—I'm sitting at the dining room table one Sunday night and I get a call. This youth, whom I'd gotten off on several charges, had committed murder.

What had I done for that youth in terms of representing him? Nothing. All I had done was to eventually have him commit a greater crime. What did I do for the victim who died? Nothing. That was one of the difficulties of having the youth as my client as opposed to the parent, because I couldn't tell the parents what the problems were. I couldn't try to help this youth.

That's one of our difficulties with legal aid. I hope the Attorney General will look at it. Perhaps the parents themselves should be the holders of the legal aid certificate and should be the people who give the instruction. Or have we abandoned all responsibility by parents for their children? That's another issue.

The other thing I look at is in terms of the attitude or the book by Mr Harris in the next election where he's going to cut taxes and slash and burn. I wonder if they've really thought about what is at the root cause of much of the crime that is being perpetrated by young people. It's

because they can't get a job. There are not available funds for them to be looked after appropriately. They're roaming the streets. You find more street gangs today than you ever did before. Young people are finding that their parents have abandoned them in a sense. The only people they can look to for some camaraderie and some relief and some benefit are gangs.

Swarming: Who ever heard of swarming years ago? That goes on. Who ever heard of robberies where people are arriving at the gas bar at night with a shotgun?

What approaches have been taken by either the present government or by the Conservative caucus in terms of supporting the bill that's presently before the standing committee on administration of justice on licensing ammunition? That's something that we can do within provincial jurisdiction. That bill should be passed through this place lickety-split. It would certainly be of benefit to everyone involved.

I have to say that I would love to speak more on this because I think it is a significantly important matter.

Mr Chris Stockwell (Etobicoke West): But Bradley said you can't.

Mr Callahan: No. I have to close by saying that I probably have to think about this—I'm going down to the justice committee—as to whether or not I can support Mr Harris's motion, because of the right-wing things that he's got in there. But on the other side of the coin, I agree that the Young Offenders Act has to be looked at, has to be reworked, in order to ensure that the people in society are protected.

At the same time, we also have to never lose the appreciation that young people should be treated in a different way. They shouldn't be put in penitentiaries with adult offenders. They shouldn't be dealt with in the hole, the lockups in the courthouses, with adult offenders. They shouldn't be held in police lockups with adult offenders.

If we've lost the ability to understand that and if we're simply going to throw them to the sharks, then I think society is in bad shape, because we've already allowed these kids to run amok and we've created situations that allow them to run amok.

We have to craft the system. We can't just throw the system out and say, "The way we deal with it is, we make certain that if you have two strikes you're out." I seem to understand that this was brought up by a fellow by the name of Clinton in the United States—a direct steal from Clinton. The Conservatives can't even be original when they bring something forward.

If you think about that, does that mean that if somebody steals two loaves of bread, for the third loaf of bread they go away for a significant period of time? I find that offensive and I think most Ontarians, despite the fact that they have a distaste for the Young Offenders Act, would agree with that.

It's been given very poor drafting. It's been drafted, I think, by people who have not really looked into it. It's been drafted in a way that is a sort of knee-jerk reaction to what they perceive to be the mood of the people in Ontario. I know the people in Ontario are mad, but I

don't think they're going to accept this type of knee-jerk reaction. They want a reasoned response like my leader's and my party's comments on a safer community.

Having said that, I want to leave time for my other colleagues. I look forward to hearing other members in the debate.

1630

Mr Harnick: I rise to take part in this debate because the Young Offenders Act, for the people who live in my riding, has been a source of discomfort on the streets, in the shopping plazas and in every neighbourhood in my riding. There is a prevalence of youth crime in Metropolitan Toronto today, and one need only see the reaction of youth offenders to the crimes they commit.

In the Kitchener-Waterloo Record of January 15, 1994, there's a story about Halina Kucharska, whose 14-year-old daughter, Marta, was killed October 11 by a 16-year-old youth who was speeding in a stolen car on Manitou Drive. She still can't understand how the young offender could get off so leniently.

The youth was convicted of dangerous driving causing death, possession of stolen property, driving without a licence, breaking and entering and theft, and was sentenced to 15 months in a group home. The reaction of the mother of this young girl who was killed was: "For me, this guy, he's free. For my daughter, there's no life."

There is a litany of those kinds of stories. The 14-year-old by the name of Sam, in the Ottawa Citizen, Monday, April 4. Here's what he says. He says:

"Who cares? I think that's the attitude that a lot of young people have. They're not worried, because, you know, the Young Offenders Act is not that strong. Not like the laws for adults."

I have had in the past a client who was viciously assaulted by a youth gang, if you will. He was a clerk in a Mac's milk store, a gentleman who came here from another country, who worked at night to put himself through school in electrical engineering at Ryerson Polytechnical school during the day.

He was working at the Mac's milk store for about \$5 an hour, \$6 an hour, and one night he was held up at gunpoint by three youths. In the course of cleaning out the till, which wasn't enough for these three youths, one of them picked up a litre-and-a-half glass bottle of Coca-Cola and smacked my client over the head with that bottle. My client has never worked since that time and is permanently brain-damaged, unable to carry on any job or occupation.

During the course of the proceedings that followed, I received a phone call from one of the defendants, and that defendant said to me, "Mr Harnick, you can't do anything to me, because when that offence was committed, I was a young offender and I therefore bear no responsibility for my actions."

As long as that is the attitude that prevails, then the Young Offenders Act must be changed in accordance with the resolution that is before you today.

A study was done by Frederick Matthews, a community psychologist with Central Toronto Youth Services. One of the conclusions of this report, this \$42,000 study,

was that young people are not afraid of getting caught. They say:

"The Young Offenders Act, which covers those aged 12 to 17 and carries a maximum penalty of three years for most offences and five years for murder, is no deterrent. The majority view is that the Young Offenders Act is too lenient on first-time offenders and on those who commit violent offences involving the use of weapons."

That is a report from a community psychologist with Central Toronto Youth Services.

The statistics regarding youth crime are astounding. We have cases in 1992-93. The source of these statistics is the Canadian Centre for Justice Statistics youth court survey. There were 311 aggravated assaults in 1992-93; 212 of those, 68%, committed by 16- and 17-year-olds. In 1992, 140,000 youths were charged by police for Criminal Code and other federal statute offences. The number has increased by nearly one quarter over the past seven years.

Slightly more than half of the youths tried in youth court in 1992-93 were 16 and 17 years of age. Half of all violent cases heard in youth courts involved 16- and 17-year-old offenders. Approximately 50%, and this is very interesting, of youths 16 and 17 years of age with cases disposed of in 1990-91, and the statistics have grown since then, had previous criminal histories. This was slightly higher than 42% for youths 14 and 15 years of age and the much smaller proportion of approximately 25% for youths 12 and 13 years of age.

That means that when a youth is 16 or 17 years old and coming back to youth court, 50% to 60% of those individuals, those youths, have been there before and have prior convictions. That is an astounding figure and that is proof of the fact that the young offenders project has been a dismal failure.

It's interesting to note, and I have to very briefly deal with this, that the federal minister has said that 16- and 17-year-old youth who are charged with murder, attempted murder, manslaughter, aggravated sexual assault and aggravated assault will be tried in adult court—these are the new proposals that have been made—unless an application is granted for the youth's case to be heard in youth court.

I have some reservations. When I first looked at that proposal, I thought it was a very neat proposal. But the more I thought of it and the more I correlated this proposal with these statistics, the less I am in favour of that proposal.

What has to happen in a case under the proposed new act is that the judge must consider the interests of society, including protection of the public and rehabilitation of the young person. If that is the test—and one can assume that this is going to be the evidence offered up, because the option will still be there to go back to youth court—what will happen is that most of these cases, I predict, of 16- and 17-year-old individuals will go back to youth court, because to fail to do that would be an admission by the judiciary that youth court has been a failure. I don't think it should be the judiciary's task to have to deal with

whether a youth court project was a failure or not a failure.

The statistics are astounding. The statistics say that 50% of all 16- and 17-year-olds coming before the court have been there before. That says that there is no level of deterrence in the Young Offenders Act. The motion that is before this Legislature today is a motion designed to deliver the deterrence effect so that the people in my riding can feel safe when they go to shopping plazas and when they go out walking in their neighbourhoods.

I want to speak very briefly about legal aid. We know that legal aid is in desperate trouble in this province. It's interesting that legal aid is under the auspices of the Attorney General. The mandate for managing the system is under the auspices of the Law Society of Upper Canada.

During a period of time when the now Minister of Justice was the treasurer of the Law Society of Upper Canada, in charge of overseeing the legal aid system, the legal aid system was not been able to make ends meet. They are now \$65 million in debt.

That is why I would urge the Attorney General to call the Minister of Justice directly—he's familiar with the problems—to take away the opportunity of young offenders to get legal aid even when the legal aid system denies them coverage, because the act now reads that all a young offender has to do is go to court and ask for counsel and even though they've been denied by legal aid, they are automatically entitled to counsel.

My allotted time is complete, but I would urge the Attorney General to review our motion, to review the statistics and to recognize the importance of putting deterrence into the Young Offenders Act.

1640

Mr Kimble Sutherland (Oxford): I'm pleased to participate in this debate and I welcome the opportunity to debate the issues around crime and justice and the Young Offenders Act. Let me say, though, I do not accept many of the premises that have been put forward in the resolution. Once again, I think it typifies the third party in this House, of putting forward a very simplistic solution. Of course, they're caught a little bit now, because they put all these suggestions together and, now that the federal government has decided to move, they're not sure where they should stand on these issues, whether they should support the federal changes or not.

Let me say too that I appreciate the leadership our Attorney General has provided on this issue despite attempts by many to not accurately portray how the Attorney General in her remarks has responded to issues regarding changes to the Young Offenders Act.

I just want to repeat it again, to get it clear on the record. I'm quoting from the letter the Attorney General wrote to the Honourable Allan Rock on May 9, which she has used quite a bit in Hansard and in other comments. It says:

"Ontario believes that the YOA must be made more effective. Amendments are needed, especially in relation to serious violent crime. In particular, Ontario is concerned that existing maximum sentences are not suffi-

cient. Ontario is also concerned that the existing provisions for transfer to adult court need to be strengthened to ensure that, in appropriate cases, charges of violent crime will be transferred."

You can't be any clearer. The Attorney General has provided leadership on behalf of the citizens of Ontario. The leader of the third party said, "You're not representing the interests of the people of Ontario." It's very clear that people do want longer sentences in the Young Offenders Act, and the Attorney General in her letter to the federal Justice minister reflected that in the comments I've just expressed. You can't be much clearer than that.

It is unfortunate that some people have tried to misconstrue what the Attorney General has been saying. The Attorney General has also been saying that we need to deal with the realities of why we get people in our criminal justice system, and I agree with her on that.

The member who just spoke, the member for Willowdale, talked about crime statistics, about the increase in the number of violent crimes since the Young Offenders Act was brought in. I think it's important that we really analyse those statistics. Yes, there have been increases in violent crimes, but it's interesting to note where most of those increases have been from. They have been because we finally have policies, particularly in Ontario, where in incidents of assault against women, assaults by partners, domestic violence against women by their boyfriends, by their husbands, by their spouses, they're actually being charged and they're being convicted.

The leader of the third party said that it used to be that we didn't have as much crime in Ontario. Well, that's quite true, because they ignored it. It's only within the last 10 years that society has really gotten serious about dealing with the issue of domestic violence. Sure you can say that during the 42 years of the Tory reign we had a low crime rate, if you were ignoring all the domestic violence that was going on, not having formal policies that the partners must be charged. It's pretty easy to have a much lower crime rate if you're not dealing with it. We need to show some clear analysis of what's reflected by the increase in the crime statistics.

The other issue I want to deal with is that, yes, there is an increase in crime—we all agree with that—but some of it too is that the perception is maybe greater than the reality. Some of that comes from more extensive media coverage. I don't necessarily say that in a negative way. Crime should be reported, no doubt about that, and people are concerned.

But I notice in a recent article dealing with this issue, about whether crime has really increased, one newspaper editor said: "There's no doubt we cover more crime stories now. We report more of them. We do that because we want to be more in response to our community and we know it has a lot of resonance out there with the people who read our newspapers." So we know there has been increased media attention in terms of reporting that.

When I'm here for the four days of the week in the House, I listen to a particular radio station here in Toronto, and it's always interesting. Their major news reporter likes to provide a lot of comments; he likes to

cover a lot of crime stories. Of course, these aren't the stories he's coming up with. He's usually getting them out of one of the tabloid papers, usually the Toronto Sun. I know it's the Toronto Sun. I can tell by the words in his radio broadcast that these are words right out of the article in the Toronto Sun.

I think there needs to be coverage, but we also need to keep in mind that the media are giving far more attention, some of it more sensational than ever in the past, to the sense that there is a tremendous increase in crime in our communities. I think that has helped feed the perception that our streets are not as safe. Of course, we know there are increases in crimes there, but we also know that it's not only our streets that aren't as safe. Speaker, you know as well as I do that for many women their homes are not as safe: If you are a woman, you are more likely to be assaulted in your home or in someone else's home than you are out on the street.

We need to look at some of the other root causes of why we have such an increase in crime, the perception that our society seems to play more off violent images. I just talked about domestic violence. If we have young people growing up seeing violence in their homes, I don't think it's surprising that they're going to act out some of that violence in the community in response to that.

The Attorney General and others have noted that many people who are offenders have been victims themselves. That doesn't, in my view, absolve them of all the responsibility for their actions—they still have to be responsible and accountable for the actions—but if we really want to be serious about reducing crime, we've got to get to those root issues, we've got to deal with those questions of prevention.

We've also got to have stronger deterrents under the Young Offenders Act. I compliment the federal Minister of Justice for the reforms he has brought in. I think they're appropriate. They deal with a lot of the issues.

Part of the problem from the public standpoint is trying to understand our justice system. The opinion I am about to express is my own personal opinion, not the opinion of the Attorney General or of the government. Not being an expert on our justice system, I find it a bit confusing, all this stuff about federally appointed judges, provincially appointed judges, who can deal with what. I find it a very confusing system and I assume much of the public does, and I wish there was some way we could streamline the differences between the federal and provincial systems.

We also know that one of the other significant changes about repeat offenders has to do with the issue of parole. Parole is a federal responsibility. We had a public meeting on March 31 in my riding, sponsored by the Zonta Club, called Justice Without Fear: What Can You Do as an Individual? Some 800 people attended that meeting. I compliment the Zonta Club for bringing more awareness to the public regarding that. One of the speakers there was Scott Newark, executive director of the group CAVEAT, Canadians Against Violence Everywhere—I forget what the last two letters in the acronym stand for. He highlighted some of the examples of the National Parole Board, and there not being a degree of accountability in the national parole system. I understand

the federal government is moving on that issue as well. I compliment them for doing that. It is long overdue.

In concluding my remarks, I want to repeat that our Attorney General has shown clear leadership in representing the people of Ontario and their concerns about crime in general, about the Young Offenders Act, about having applications for people designated as dangerous offenders so they could not be out in society, about transferring young offenders to adult court for serious crimes, for serious violent crimes. We've provided a great deal of leadership across the country in those issues, and I compliment the Attorney General.

1650

I want to repeat too that while in my view crime has increased, we need to look at those statistics, domestic violence etc. Because we are clear in saying that's no longer appropriate and charges are being laid, convictions are being made, the crime statistics have increased most dramatically in those areas.

Also, some of it quite frankly is because there's far more media coverage of the issues. The newspaper editors have admitted that, they're saying that in public, because they believe their readers want to hear more community news and when they hear about crime in the community they respond to that. I'm just reflecting what was reported in a newspaper article. I'm not saying that's my own opinion. That is what they're admitting, so we have to keep a perspective here.

Again, I believe Ontario, the Attorney General, has provided leadership in an effective way, not in a simplistic, out-of-date approach that we know has not worked in the United States, yet the third party, the Mike Harris Progressive Conservative Party, thinks it's going to work.

Mr Alvin Curling (Scarborough North): I want to take the opportunity to make my comments on the non-confidence motion that has been put before us by the third party. My first impression when I looked at it was that I was quite surprised that the third party put it forward. Their attitude in responding to problems, Mike Harris and his Common Sense Revolution, is to take an Ontario plan and get some American solutions, to feel that's the way we're going to solve that kind of problem. We are a proud province. We have our problems, but we are quite capable of resolving our own problems here.

In the short time I have, I want to put certain things on the record. First, I want to say that my wonderful city, the beautiful city of Scarborough, where people have aspirations and their challenges too, at times has been highlighted in the press as a place where there is violence. Someone observed that whenever there are comments made about crime, they talk about crime in Scarborough; when there are crimes being committed in other parts of the city, they don't designate the area. One would believe that Scarborough is the most crime-ridden place, but it's a wonderful place to live. I've lived there for over 25 years and I fear not; I walk streets calmly. Of course, I warn all citizens that wherever you live, you must make sure you are protected and not open to any kind of abuse.

I would just highlight some of the stuff I saw in this

non-confidence motion: "Reduce the maximum age for a young offender from 18 to 16. All offenders over the age of 16 will be tried in adult court." I just want to remind the Conservative Party that this was the way it was before and it didn't help. They're responding in what I would call almost a knee-jerk approach to resolving problems and feel this "Build larger jails and punish as much as you can" will resolve the problem, and it will not happen.

It says, "Streamline the process to ensure that young offenders who commit violent crimes are tried in adult court." We must understand that there are not enough programs available. I was speaking to some people in correctional services, in some of the institutions, and they're extremely concerned about the programs that are not available within the institutions.

I'm sure the Attorney General is quite aware and is working together with her colleagues. Health, I understand, have more or less thrown up their hands. They need more psychiatric treatment and a lot more treatment for the young people there so they can be rehabilitated back into society. Many of the young people who are there today should not be there, they should be at some other institution, but we don't have enough programs.

Each day you're in this House, Attorney General, people are throwing at you to spend more and tell Correctional Services to spend more, but we know we have to prioritize that. I hope you can focus and tell your colleagues that the great need for funds for more and better programs within those institutions will go a long way.

The other part said, "Streamline the process to allow offenders younger than the age of criminal responsibility who commit violent crimes and who understand the consequences of their behaviour to be tried in youth court."

Of course, what happened in England the last time comes to mind, so we feel that if it would happen here in Canada these young people could not be tried. Of course, we have to make sure that the young people who are committing the crime understand the consequences. As I said, there are people there who are suffering in that institution who should not be there or who have psychological problems and we'll make sure that we don't sentence these people and, like the Tories are saying, "Let us have larger jails so we can put them all away."

I was fairly interested to see one of the areas there, "Remove the requirement for the province to provide legal aid to all young offenders who request it, regardless of financial circumstances or the nature of the charge."

I'm not at all surprised. That is a Conservative-Republican line that they put in there. In other words, the poor people who have access to legal aid of course should not get it. Because they're young, they should not get that. Many of the people who are there need that legal aid to make sure that justice is done. Oftentimes when the Conservatives are speaking, they sound like the privileged people who are saying of those who can't conform, "Throw them in jail because they're interfering with our nice way of living, and if they can't afford it, tough on them."

Legal aid was put in place to give a clear message that justice and the access to justice should be there regardless of what kind of money and status—

Mr Stockwell: Regardless of the number of times you offend? How many times can you offend?

The Acting Speaker (Ms Margaret H. Harrington): The member for Etobicoke West is out of order.

Mr Curling: —that we have. Somehow there's many of them, the same way they behave in housing projects, the same way they behave in anything that will assist those who need it, they feel that they should be somewhere else and should not be assisted in any way. It would be a sad day in this province that we cut off the legal aid to our young people.

One of the things, too, I saw here, "Parents must make an appearance during a young offender's trial." Why don't you get your heads out of the sand and realize that there are some young people who haven't got any parents and some of them have left home?

The Acting Speaker: Would the member address his remarks through the Chair.

Mr Curling: Madam Speaker, I want to say to you, could you tell them for me to take their heads out of the sand and to say that there are some young people who don't have parents, some can't live at home, and if at court they don't turn up, Madam Speaker—and you're much more convincing than I am to tell them that and I want you to tell them that.

However, I want to say, too, that somehow if we stop having that vote-catching, knee-jerk approach to things in our province, we may be able to focus on the problem and resolve the problem how it should be done. Of course, we are always saying that crime has gone up for the young people. Yes, crime has gone up in itself for young people committing crimes, but I gather that 75% of those crimes are minor crimes that young people have committed. Do they deserve to be in jail? The Conservative Party would tell you, yes, throw them all in jail for minor infractions. No matter what it costs for this incarceration, throw them in jail for these minor infractions.

Mr Anthony Perruzza (Downsview): On a point of order, Madam Speaker: Can we have the reference of the study that the member is quoting when he talks about those statistics?

The Acting Speaker: That is not a point of order. It is certainly up to the member speaking. He has the floor; he has the right to say whatever he would like to say.

Mr Curling: I was about to give him the source, but even if I show him the source, he wouldn't understand it anyhow. The fact is, Madam Speaker, I want to say to you—

The Acting Speaker: I would ask you to respect all members in this House.

Mr Curling: Our leader—

Mr Stockwell: Withdraw that, Alvin.

Mr Curling: I withdraw that, Madam Speaker. Even if I give it to him and I work along with him, he may understand it, whatever I'm withdrawing.

Our leader had issued, of course, and I would suggest

to some of the members there, if you want a source, the Lyn McLeod Commitment to Safe Communities. Within that, I will say to the honourable member, you can read her commitment to approaching how we're dealing with young offenders and what we should do.

1700

The fact of the matter is that the Liberal Party and myself and my colleague here are committed to see that the—

Mr Stockwell: On a point of order, Madam Speaker: His source is Lyn McLeod. Can he give us a date? Because we're not certain if she's changed her mind on this issue.

The Acting Speaker: Thank you. That is not a point of order.

Mr Curling: Every time, Madam Speaker, it seems to me that when the member for Etobicoke West takes his head out of the sand he comes up with these kinds of foggy suggestions himself. But I want to say to you the commitment we as the Liberal Party and Lyn McLeod have. I would suggest to many of the members there, go and read that. The fact is too that I suggest to the Conservative Party that we want a safe community, just like us all. Let us not approach this in a vote-getting approach in resolving this problem but in dealing with our young people in a manner they should be dealt with.

Mr Robert W. Runciman (Leeds-Grenville): I appreciate the opportunity to participate in this debate. This is not, as the member indicated, a vote-getting ploy; this is an effort to participate in the debate that's going on right across this country. The Alberta Legislature has established a special committee to look at the Young Offenders Act and have input into the deliberations at the federal level. We're trying to encourage this Legislature to do the same.

Of course, we're very concerned about the position taken by the current government in respect to the Young Offenders Act. The interventions of the Attorney General up to this point have not been representative, in our view, of the vast majority of Ontarians. We don't base that on mere speculation. We toured the province. We spent nine months listening to people in this province in respect to their concerns about justice and law-and-order issues. We believe that this motion put before the Legislature today is very representative of the concerns that we heard.

The Liberal member for Brampton South was speaking earlier. I was in committee and didn't hear his comments, although I gather they were critical of our motion. I find that interesting. I was reading a column by the editor of the Ottawa Sun some months ago, talking about the Young Offenders Act and the weaknesses of the act. He made special references to Mr Callahan, the member for Brampton South, and Mr Callahan's support for the Young Offenders Act and the fact that Mr Callahan was very active, through the legal aid system, in representing young offenders.

Perhaps it might have been inappropriate for Mr Callahan to be standing in this House today and making representations in support of the act while he is very much a participant and a beneficiary in respect to the act

in representations of young offenders who have committed very significant crimes.

Mr Perruzza: Is he saying he is incompetent?

Mr Runciman: I'm raising that question, Madam Speaker, in respect to his participation. I think it's a valid concern that he should have identified his own participation in representing young offenders charged with serious crimes and his use of the legal aid system to fund those court representations.

I want to say that we agree with those who say that harsher sentences—

Mr Tim Murphy (St George-St David): That's unfair, Bob.

Mr Runciman: I think it's quite fair—sentences are not the only answer. I don't think there's any doubt about that. We've got to look at questions of unemployment, of the opportunities available to young people in society. We've been going through difficult times in the last number of years and we know that has indeed contributed to an increase in youth crime.

Our concerns are not centred around youth crime per se. We are very much concerned about violent crime, very serious crime, committed by young people in this country, let alone the province of Ontario, the penalties that they are receiving as a result of the commission of these crimes and the fact that many in society are taking advantage of the weaknesses in the system.

I appeared at the federal standing committee on health a couple of weeks ago. Some people in the tobacco business from Montreal were testifying about the smuggling of tobacco products into Quebec and how significant a problem that had been during the high taxation levels on tobacco products. They were indicating that virtually all the smugglers, the runners if you will, for the smuggling operators were people 15, 16 and 17 years old, young offenders, because they realized that the penalties they were going to receive were modest. They were earning between \$1,000 and \$2,000 a week as teenage runners and smugglers for organized crime. That's the kind of way this act is being exploited currently.

I was talking to a Metro Toronto police sergeant a few weeks ago about a car theft ring operating in a division in downtown Toronto. This was hard to believe, staggering in fact, but this division had the highest vehicle theft rates in North America. You think about Detroit, you think about New Jersey; this was downtown Metro Toronto, the highest vehicle theft rates in North America.

These were being committed primarily by ethnic organized crime units. When they would raid many of these establishments and arrest many of these people who could barely speak English, but could say two or three words, the first words out of their mouths would be, "Me 15, me 15." This is directly from front-line police officers in Metro Toronto. This is the kind of thing they have to cope with on a daily basis, and the Young Offenders Act is allowing that to occur. These are repeat offenders that the courts are not prepared to come to grips with.

In terms of having these people deported, again the frustration of the officers is that many of these individuals they're confronting, in this particular situation

anyway, are sponsored by the federal government and it's virtually impossible to get deportation orders. So in fact they're back out on to the streets in this revolving-door court system, recommitting and jeopardizing the safety of society. There's no doubt this act has to be changed.

We had the member from Scarborough getting up here and saying that in Scarborough it's not a problem. Just a few years ago in Scarborough a young offender murdered three people. Because they wanted to protect the young offender, they couldn't reveal the identity of the young offender or his victims. But the reality is, those of us who followed this case know, that he murdered his mother, his father and his sister. A 15-year-old. What did he get as a sentence for that? Three years, the maximum sentence allowed at the time under the Young Offenders Act. That individual was allowed out on to the street after serving three years for murdering his mother, his father and his sister.

Is that justice in anybody's books? Certainly not in mine and certainly not to members of the Mike Harris Conservative Party, and it's certainly not the view of the vast majority of Ontarians, and we have to recognize that and come to grips with it. The NDP and many in the Liberal caucus are not prepared to do it. They're from a different time, 20 to 30 years ago, with these kinds of initiatives which have put us in the position we're in now in this country and in many other jurisdictions as well, this small-l liberal approach that we can rehabilitate and save everyone. It just ain't working, and it isn't going to work, and we have to address that problem.

I want to talk about a number of other cases that should be put on the record.

Mr Murphy: Put a million people in jail.

Mr Runciman: We're getting interjections from one of the far-left members of the Liberal caucus who certainly, apparently, doesn't see any real problems with the Young Offenders Act. It's passing strange, we just have to look back at the Liberals in their five years in office, and you talk about being soft on crime.

Mr Murphy: Try to be accurate, Bob.

The Acting Speaker: The member for St George-St David, come to order.

Mr Runciman: You talk about the Attorney General of the day, Mr Ian Scott—who regrettably is very seriously ill—I like Mr Ian Scott, but as an Attorney General he was a very soft individual in respect to crime and dealing with crime.

I cite this example of a court case in Toronto where police officers had worked for several years in arresting people in the illicit drug business in Toronto. What happened to those guys once they went to court? They were back out on to the street again. The police officers who had devoted so much time and energy and resources to getting those people before the courts were irate and said: "This is a revolving-door system. Something has to happen to the justice system to make sure we can get these people off the street and protect society."

1710

What did Ian Scott do? He got up and tore a strip off those police officers for going public with their frustra-

tion. That's the kind of attitude the Liberals have towards law and order and protecting society. That's the kind of attitude the Liberal Party has.

Interjection.

Mr Runciman: It's on the record; you simply have to look at the record. They went through Solicitors General for breaking the law. Unbelievable; we couldn't keep track of who the Solicitor General was for the Liberal Party. Every time you turned around, they had to resign because they were breaking the law of the province of Ontario. A fine example they've set.

Interjection.

The Acting Speaker: Order.

Mr Runciman: If the member wants to raise issues, we have a long, long record and a history of where the Liberal Party of Ontario stands in respect to its concern about public safety and maintaining adequate levels of law and order in this province. It's pretty miserly and something they should be ashamed of, including the current member who was just elected. We can't lay it on his doorstep, but certainly his attitude in the House today is reflective of the past history of that party.

We had a criminologist appear before us at a committee yesterday. This is an attitude of so many professionals in this business, who think that everyone can be saved, that we have to protect these people if they're young offenders. But the reality is there's some people out there who are very violent individuals. Despite the best intentions of society, we can't save these folks and we can't allow them out on to the streets to put society at risk. We have to deal with them in a meaningful way and the current act certainly doesn't do that, in many instances. We're not talking in a general case; we're talking primarily about violent offenders, but we're also talking about repeat offenders.

There's a case here, for example, in Calgary that is cited in a report by the MacKenzie Institute for the Study of Terrorism, Revolution and Propaganda talking about the Young Offenders Act, about an individual, a 16-year-old girl in Calgary, who had been shoplifting every day for a month before she was caught. Her sentence was to design a poster warning other youths not to steal. I'm quoting the report: "This pathetic attempt at discipline was not lost on her and she laughed after the court sentencing, quoting: 'Is something like this going to make me stop? Of course not. That's so stupid.'"

All we have to do is watch television documentaries to know that young offenders—

Mr Perruzza: Kim Campbell was the minister then.

Mr Drummond White (Durham Centre): What did Kim Campbell do?

Mr Runciman: Certainly, and I'm very critical of the federal Conservative government as well. They had an opportunity. They were one of the major disappointments of anyone who supported Brian Mulroney and expected him to bring the Young Offenders Act into line with the concerns of the Canadian public. He didn't do it and that's why he's out on his ear.

You guys are going to be out on your ears and you're not going to be re-elected. The Conservative Party of

Ontario under Mike Harris is going to be elected to form the next government of Ontario, because we're listening to the people of Ontario.

Mr White: In the next few minutes before my friend Mr Winninger speaks, I'd just like to comment a little bit on the motion in front of us.

There are many, many people in our communities who are concerned about violent crime; we hear about it every day in the Toronto tabloids. But the actual occurrence of violent crime has not increased. While the issue with youth between the ages of 16 and 18 is a very serious one that should be addressed and I believe is being by the federal Justice minister, while those changes are occurring, and I think many of us would applaud them, there are many other aspects of the Young Offenders Act that should be left alone and, if anything, should be examined in terms of their merits.

I would bring people's attention to the fact that under the Young Offenders Act as it presently stands, people who are young, people who are 12 and 13, are more likely to be incarcerated, more likely to receive serious sentences, than if they were adults. They have a serious, serious concern, because these are young people who may not understand the nature of the events. We're talking for the most part not of violent crimes. Where the violent crimes occur with the older members of this group, they should be dealt with much more severely than they are presently. In this I think we would all concur.

But this is a broad-sweeping resolution. It speaks also to those very young people whose concerns are not well addressed within our own system as it presently stands. If anything, this system is overly harsh with them. In those situations, where courts are continually calling for incarceration on first offence for very minor events, that is not the proper way of treating young people. I have had innumerable experiences in my community where this bill has, if anything, been overvigorously pursued with very young people.

The issue of deterrence is there. The issue of addressing of those concerns is there. The problem we have, of course, is with the older part of this group, the 16- to 17-year-olds, and the violent crime, and it's a very isolated part of this group. In that area I think we can all agree, but with the area of the younger people, where the issues are unclear as yet for them, when they are trying to discover for themselves, often without good role models within their community, how to handle difficult situations, they need to have an approach that does not say to them, "You will be locked up for six months," when you don't understand the nature of your behaviour. I am talking here of the 12- or 13- to 14-year-olds, for whom our response needs to be moderated. For the older people, that's a different story.

I look forward to hearing the comments from my friend Mr Winninger.

Mr David Winninger (London South): I wasn't aware that my colleague from Durham Centre was going to be speaking, but I know he brings to this debate a lot of experience as a family counsellor and I think he had some very important insights he was anxious to share with you.

I think it's important to be mindful that even though youth crime only accounts for 15% of all violent crime and in fact only 8% of all homicides, we have to be very, very particular about how we treat our young offenders. On the one hand, there has to be deterrence, just as there is in adult court. There has to be deterrence, there has to be the principle of retribution, but at the same time, even though rehabilitation plays a very important role in adult court, it's even more paramount when you're dealing with youth crime, because the idea in the Juvenile Delinquents Act which was later imported into the Young Offenders Act is, there has to be a balance. On the one hand, you want to ensure that this young offender will not offend again, but on the other hand you want to ensure that this person will be given every opportunity to rehabilitate himself or herself, and that's the balance that has to be achieved.

I know our Attorney General is very concerned, and I know she spoke earlier today, about the increase in violent crime among young people. We need to come up with some very constructive ideas as to how we can get that rate of increase down and at the same time ensure that our young people receive the attention they need so they will not reoffend.

Certainly the federal Minister of Justice has put forward a whole series of amendments, many of which reflect the contribution of our own Attorney General in terms of ensuring that the transfer from youth court to adult court is streamlined where it's warranted, ensuring that there are more meaningful maximum sentences for the more serious crimes while at the same time ensuring that we fully and adequately explore alternative measures in the case of more minor offences.

I think it's common knowledge that the vast majority of offences that are dealt with in youth court tend to be of a minor nature. Certainly when I was practising in this area, the majority of offences were not violent offences; they were in fact offences against property. I'm talking about trespass to property, I'm talking about shoplifting, I'm talking about more serious offences such as car theft.

1720

On a first offence, the judge typically looks at all of the conditions—looks at the background of the offender, looks at whether the offender is going to school or is meaningfully employed, looks at the kinds of family supports that are available for that young offender—and, taking into account this whole constellation of factors, metes out an appropriate sentence. For a first offence of a minor nature, it may be a non-custodial disposition. For a more serious offence, even a first offence, it may be a custodial disposition.

We need to deal with serious offences, particularly those involving violence, in a very deliberate, meaningful way. I think the amendments put forward by the federal Minister of Justice, many of which our own Attorney General supports, go a long way towards meeting the perceived and actual need to deal with young offenders in a way that will ensure they are not likely to offend again. If this means that a young offender will be transferred to adult court and a more serious sentence is meted out, well, so be it.

I knew a lawyer in London who spent virtually all his time representing young offenders. He said to me that when the young offender first comes into his office and asks, "What's the maximum you can get for an offence?" he would say, "Life," because under the existing law, a young offender can be transferred to an adult court and dealt with in a very severe way.

I know my time is up, Madam Speaker, so I'll yield the floor.

Mr James J. Bradley (St Catharines): I appreciate the opportunity to discuss the issue that's before us this afternoon, the issue of the Young Offenders Act and a call to have the federal government make significant changes to it to ensure that it is meaningful, first of all, to the young people it deals with, and also to our society at large.

I think there's a pretty strong consensus out there that the Young Offenders Act as it exists today does not satisfy the general population. The perception is, and I think there's some considerable validity to that perception, that many young people are well aware of the provisions of the Young Offenders Act and, as a result, are more inclined to commit crimes than they might otherwise be were the provisions tougher.

I recognize that many people who set out to commit crimes do so on the basis that they're not going to be caught, do so on the basis that somehow they will be able to outmanoeuvre the police forces and society at large and get away with the crime they are about to commit, and that they don't always look at the consequences. But my concern is that a larger number of young people today are aware of these provisions and they tend to know the steps.

Back when I was a teacher, I would encounter certain students who perhaps were on the wrong path in life, and those students were usually pretty streetwise. Those students usually knew what would happen the first time they appeared in court, the second time and the third time, and could generally figure out what would happen to them as a consequence of the actions they were going to take. This was even previous to the Young Offenders Act, so they know they are treated differently.

My concern is that not only are these people feeling this way, but there are older people who are prepared to take advantage of the fact that younger people have shorter sentences, fewer consequences than an older person committing a crime, and some of these people enlist younger people for that very purpose.

I also want to say that I recognize that the federal government has already taken some action. The Minister of Justice of Canada, Mr Allan Rock, announced in the House of Commons that there would be some changes made to the Young Offenders Act, and some of those were hailed as being rather significant. I'm not convinced they address all of the concerns that are out there. I think it's as a result of people expressing to their elected representatives the fact that they are dissatisfied with what they see happening under the Young Offenders Act, that it has resulted in the federal government taking some action.

There are some further suggestions this afternoon as to what might be done to toughen the Young Offenders Act. For those who are incorrigible, or almost incorrigible, probably this will work, to a certain extent at least. I hope, though, that we don't look at it as the only answer. I noticed in the resolution that's before us this afternoon that there would be mandatory counselling for all young offenders, and I think that's important. What we want to do is not make hardened criminals out of them. I suspect previously, when they were placed in adult institutions, that they simply learned from the so-called professional convicts who had been around for a long time and whose chances of recovering from this situation and changing their ways were very little in that direction. They learned something from them, and that was not good.

I think, however, we also have to go back to the causes of crime. I do not think it's satisfactory simply to list all of the difficulties that a young person has faced in life and then justify that as a reason for committing a particular crime. That, according to victims out there, does the victim no good. The victim or the family of the victim may say, "Yes, it is unfortunate that the person went through this in life, but it does not justify the commission of a crime." I think that has to be taken into account considerably.

If we want to attack in a punitive way with the potential penalties that are implied in this resolution, I think, side by side, we have to work on rehabilitation, and that is provided for in this resolution as well.

In addition to that, I think we have to look at the causes of crime, why young people are more vulnerable to falling into this field. Certainly, part of it is our changing society. Many more young people out there come from families which are—I guess the word they use today is "dysfunctional"; that is, where there is only one parent who is trying hard to keep the child on the right path but finds it difficult to do so from time to time.

That really means that the Ministry of Community and Social Services and all of our society are going to have to look carefully at how young people are placed in these vulnerable circumstances. An example I give is that today we have, more often than we did in the past, children who are in fact raising children.

Interjections.

The Acting Speaker: Order. I would invite members to listen to the member who has the floor. If you have conversations, could you please hold them elsewhere.

Mr Bradley: It used to be that many young people who became pregnant, say, at the age of 15 or 16 were counselled on the option of adoption. Today, they are counselled in a different direction. They are told all of the services that are available to a person who is 15 or 16 years old, and so the incentive to try to raise a child, as a child, is greater today than it was before. Children in those circumstances, more often than children in other circumstances, may face more obstacles in life, may find more difficulty in school, may be more vulnerable to outside influences which are not healthy for them.

While I admire those who have done a good job and struggled through those circumstances, it's mighty

difficult. We find probably more of those children in circumstances confronting the law.

I think out there that people generally believe today—and again, I think with some justification—that young people are much more aware of their rights and of the specific provisions of the law than they ever were before. There is a perception—some argue that it is not an accurate perception; nevertheless there's a very strong perception, I think backed up with anecdotal and some statistical evidence—that we're seeing an increase in certain kinds of crime by young people in our society.

I don't think you can simply take them all and throw them in jail and hope that somehow when they come out they're going to be better citizens. They're not. That is why they require treatment; that's why they require rehabilitative services; that's why, as the motion suggests, they should have mandatory counselling. But there's only so much counselling that can take place, and where clearly it's not working, where clearly we have a repeat offender, where clearly the nature of the crime is such that a young person should be tried as an adult because they've committed crimes that are an adult type of crime, the penalty should be increased in those circumstances.

1730

Also, there's an issue dealing with the amount of money that's available for legal aid, and there's a suggestion in the resolution that less money be available for young people who are able to pay their own way; that in fact society should not pick up the tab for rich kids out there who get in trouble with the law and then turn to others to try to solve this problem for them in terms of providing money for the courts.

I think we have to look carefully at how the money is provided and decide within that, within the rules that we have, that we have to enforce those rules much more strictly and modify them when there's a necessity to do so, and the resolution suggests that this afternoon.

Earlier today I raised with the Minister of Community and Social Services the problem of student welfare. Student welfare, when it was started, was designed to keep young people from very difficult circumstances in a home life in school; to afford them an opportunity, when they're anywhere from, I guess, 14 to 18 or 19 years old, to stay in school to work hard to make something of themselves.

The program, just as probably the Young Offenders Act in its original concept, was well-meaning. But what's happening with that program—and I think it contributes, to a certain extent, to the problem we're talking about today—is that it's being abused. Young people are taking the money and then not showing up for school. If they show up for school, that's a different story.

We're also having some tough bargaining going on with parents out there. I raised a very genuine case today of a mother who phoned, totally distraught that the son in these circumstances was going around the house pulling things off shelves, trying to provoke the father into some kind of violence against his son, because then, of course, that would make for easy student welfare. He could move out of the house, go out with the friends, who seem to

have a good time on student welfare. I'm just saying, in that kind of atmosphere, there's a greater chance that we're going to see problems arise with these people.

I don't know whether everybody is going to agree with every provision that's in the resolution this afternoon. I think it does address a problem that all of us are concerned about on all sides of the House. I've endeavoured to deal with it on a non-partisan basis.

I listen to people trading back and forth, telling who has got what. The Liberals have a paper out called Safe Communities. My good friend the member for Leeds-Grenville said, "Well, the Liberals are soft on crime," and then I heard him say before, "But they stole our platform." So I don't know whether we're soft or hard on crime.

Frankly, I don't think people are really concerned about the partisan aspect of it. They want us to address it. I think this resolution allows us a chance to talk about it today, and I certainly hope that some of the provisions are transferred to the federal government through the appropriate communications.

Mr Murphy: I appreciate the opportunity to speak on the opposition motion put forward. I think it addresses an issue that is of reasonably top-of-the-mind concern to a number of people in my riding.

There is no doubt that there are aspects in the Young Offenders Act which need repair and reform. We've seen, within the last few days in fact, the federal Attorney General introduce a bill in the House to do much of what this very opposition day motion proposes. While it may be a bit redundant, belling the cat, none the less they're continuing to debate it.

Some of the proposals, I think you'll see, that reflect what this opposition day motion already has in it have been proposed by the federal government; that is, doubling the penalty for first-degree murder in youth court to 10 years; increasing the second-degree murder offence to seven years; 16- and 17-year-olds who are charged with very serious crime are to be tried as adults unless otherwise directed.

The interesting thing about that first-degree murder charge for young offenders is that it will be a sentence similar to what an adult serves, because it is a minimum of 10 years and they must serve it all.

An important change which may or may not be all the way that is necessary, and I'm sure that debate will continue in the federal House, is to take away the right of offenders to refuse treatment under the Young Offenders Act. One of the most important reforms in the federal amendments, which are supported by my party and my leader in the Safe Communities document, is permitting and requiring young offenders to do restitution or work in the community. That is an aspect of this issue which is completely ignored in the opposition motion brought by the Mike Harris party, as I gather it is now.

What I heard in the course of travelling in this province in the last six or seven months, as part of a justice and crime issues committee, as part of the Liberal Party, was people saying that what they wanted to see most of all was young offenders getting a sense of what the

criminal actions they engage in cost the community, and that the best way to do that was to ensure that they went out and repaid those people they'd committed crimes against and repaid the community. That is an important amendment and is completely ignored in this opposition day motion, which I think is unfortunate.

As the member for St Catharines mentioned, the member for Leeds-Grenville was attacking the Liberal Party for being soft on crime and then said that our Safe Communities paper was stolen from their platform. Let me first say that there are some excellent ideas for reform in the Safe Communities paper, and certainly some of what is in our paper is also reflected in what the whatever-it-is-now-called party supports. I think the kind of proposals in the Safe Communities document reflect what the public wants and, most importantly, what will work.

What this motion does, most of all, is reflect what this newly named party has been doing on a series of issues unfortunately, which is pandering to the right-wing, reactionary element in a way that doesn't reflect what is going to work, because they've done that on a series of issues such that they've actually produced inconsistent and contradictory promises.

One of the examples in this very proposal is their suggestion for mandatory counselling for all young offenders. Then you ask, who's going to pay for it and how is it going to be paid? Yet another proposal of this Mike Harris party, or whatever it's now called, is a 20% cut in the funding to the people who would provide that counselling—a 20% cut. So the very thing that they're asking for, they're going to take all the resources away for doing it. That is an area where there are already inadequate resources dedicated in the system.

The concern I have about the way the young offenders system is working now is that we are warehousing young offenders together to provide a training school for young offenders by putting together those who are committing the most serious crimes with those who are committing less serious crimes. We need to separate the two, provide the resources to the people we can rehabilitate and make sure we have a system that deters those from committing crime in the first place, because we have to maintain that balance between rehabilitation and deterrence in the system.

Unfortunately, the newly named right-wing party, which is the Reform Party of Ontario, I guess, has forgotten all about the notion that rehabilitation can work. I think we've seen in the dropping of the "Progressive" part of the Progressive Conservative Party name, the emergence, phoenix-like, of the pinched and mean-spirited soul of the Reform Party in this province and a series of panderings to the worst instincts, to those kinds of deterrent instincts that don't and won't solve the problem.

We have an example of that. Unfortunately, the member for Burlington South referred to that in the Syl Apps Youth Centre where I think he once said in my presence that they ate steak there and swam in pools, but it actually turned out not to be the case. It was responding to what people thought was going on, but it wasn't going on. That's happened in a series of issues.

1740

That being said, I think there is a need for toughening the Young Offenders Act. We are seeing some of that being done federally. It responded very well to the kind of proposals and reform that my leader put forward in the Safe Communities document.

I'd like to just give a sense of what this includes. My leader, Lyn McLeod, has proposed cracking down on gun-related crime; toughening sentence, parole and bail provisions; reforming the Young Offenders Act to provide tougher sentences for those who commit serious crime and focusing rehabilitation and community service orders on those who commit much less serious crimes; protecting women and children from abuse and crime; defending victims' rights; creating safer neighbourhoods through crime prevention methods such as safety audits and community policing; and importantly, again what this motion completely ignores, attacking the root causes of crime, such as poverty, joblessness, discrimination, family violence, lack of education and illegal drug use.

Some of the things my leader has encouraged me to do in that regard is, one, we've got a program I've started in my riding called the community witness program, where we are encouraging people who live in the community to come and give testimony at the sentencing hearings of individuals who are convicted of serious crime, especially drug dealing. We are having, I hope, our first case in this regard tomorrow, where we are having community witnesses come forward, and a whole bunch of members of the community to be sitting in the courthouse, to make sure that judge knows the community is not accepting of drug activity in our neighbourhoods. We hope the judge will listen and will give a sentence that is severe enough to send a message to these drug dealers and the others in the community to stop and get out.

I think it's interesting, in the last few minutes I have, to focus on the background to this motion, coming as it is late in the day after the proposals are already forwarded, after we've already seen reform to the Young Offenders Act coming forward federally, after we've already put forward our position.

The new Reform Party of Ontario is coming late to this with a proposal now. Do you want to ask why that is? Well, there's a gentleman named Michael Murphy—no relation I assure you, and if there is, it's got to be from a bad branch of the family—who in 1988, you'll remember, was the person who told George Bush to run the Willy Horton ads, which were mean-spirited, awful, directed ads that raised the unfortunate spectre of race in that campaign. This is the same gentleman, this same theorist of the low road in politics, who is now the chief adviser to the Conservative Party on these issues. Mind you, one would think for the money they're paying this fellow, he could be a little more creative and come up with a new idea.

I guess this is all part of the American Revolution for the Mike Harris party. I've taken a look at this American Revolution, and it's my view that it's out there. Even with 10,000 yogie flyers, this thing can't get off the ground, but the new Reform Party of Ontario is going to try it. I guess I'm prepared to say that the sensible middle

of Ontario, when seeing the pinched, mean-spirited soul of the new Reform Party, will reject it.

I am looking forward to the opportunity to vote on our motion to amend what I think many people in my riding favour, which is a toughening of the Young Offenders Act but which shows a sensitivity to the need to make sure we rehabilitate those we can.

Mr Jackson: First of all, I've listened patiently to the debate and some of the comments that have come from the Liberal Party, which had countless opportunities during its five years in government to make substantive changes to our justice system and support services for victims in this province.

I've listened with interest to the comments by the government of the day, the New Democratic Party, which has had four years to govern, to make changes.

It's safe to say that in the last nine years, much has changed about the society we live in. It's not without accident that all three political parties are talking about the issue of safer communities, because the reality out there is that communities in Ontario are not as safe as they used to be. In fact, a hallmark of what constituted the wonderfulness of Canadian living was the safety we took pride in, the almost foolish notion that you didn't have to lock your doors, that you could leave your child's tricycle on your front porch and it would be there in the morning.

But unfortunately those images of the society we live in today have all but disappeared. In my community of Burlington we have seen far too much of the ugliness of crime and we've seen far too much of the victimization by young offenders in our community. So when we come to resolutions like we have today, we don't come to these resolutions without having listened very carefully to a lot of concerns being expressed by the average citizens of this province, who legitimately have raised questions about what they read in the media about how various cases are treated.

In particular, I am reminded of a couple of cases. The first time I ever raised the issue of the Young Offenders Act in this House was when a triple murderer, a young boy in his mid-teens, had murdered his mother, his father and his young sister, and before his three years were up he was out on day passes, unescorted, in the communities of Hamilton and Burlington. We pleaded with the Liberal government of the day that at least the police should be advised, as this individual had indicated that he would reoffend. He had rejected all manner of counselling and had expressed to other inmates in the Syl Apps Youth Centre that he was anxious to continue along the path he had been following.

It was only after persistent questioning and fighting with the Liberal minister of the day, Mr Ian Scott, the member for St George-St David, that we were able to expose one aspect of the Young Offenders Act that allowed the identity of this individual to be shared with the police, who in turn could administer aspects of public safety discreetly, but in the best interests of public safety.

The reason I share that story is because within it lies the whole notion that there's a political approach to the

Young Offenders Act that has to be put aside. The public is demanding that we put it aside. In fact, when the Young Offenders Act, which I've often referred to as the last desperate act of Pierre Trudeau and John Turner and Jean Chrétien—it was their last desperate act as they left Parliament in Ottawa, and it became proclaimed during the course of the new government. The act was riddled with problems, and only now are we getting around to making reforms.

But there was not consensus from Ontario, from the Justice minister, Ian Scott, and Hansard is filled with concerns raised both by the NDP when it was in opposition and by the Conservative Party in opposition, about the need for reform. The very words of the current Attorney General were, "Unless there's unanimity with the federal government and the provinces, nothing will happen." Well, that's what Ian Scott said: "I don't agree with the direction and the changes to the Young Offenders." In fact, Ian Scott's position was, in my view, five wasted years of potential for reforms.

You'll recall that the Liberals voted and spoke against the victims' bill of rights. I want to return to that, because many of our young offenders themselves have been victimized and their concerns were not taken seriously. The victims' fine surcharge was stonewalled by the provincial Liberal government of David Peterson and Ian Scott.

Today, the minister responded that we're the last province in Canada to implement the victims' fine surcharge, when the federal government gave us this legislation in 1988—wasted years under the Liberal administration of opportunities to surcharge criminals in order to provide the additional services that several members in the debate this afternoon have talked about.

1750

One of the problems we have is that this is a split jurisdiction with respect to young offenders. You've got two different ministries involved, three actually, if you include the Attorney General for overseeing the act; Solicitor General and Corrections is involved, and also Community and Social Services.

There are a couple of things I want to raise which have not been raised previously in the debate. My colleague the member for Leeds-Grenville has talked about the aspects of sentencing and the inadequacies there. I want to talk a bit about counselling and the lack of counselling, and the right of a young offender to reject treatment.

I want to remind of the House of a very current case, that of Rosalynn Dupuis, who was murdered by a young offender. Her mother appealed to the courts and pleaded with the courts to have the young offender who murdered her daughter tried in adult court: not for additional punishment, not for retribution, not out of bitterness. That victim's mother pleaded because the young offender would not receive any counselling in a young offender facility and would continue oblivious to the seriousness of the crime they have committed in this province.

I wanted to also mention, while the Attorney General is in the House, who herself has been a former Minister

of Community and Social Services, that there are serious problems in the way Comsoc is administering the detention facilities in this province. I have raised in this House, for example, that it is possible for a 21-year-old, serious, high-risk offender to be in the same young offenders' facility with a 14- or a 15-year-old girl who may have been up on her third charge of truancy and has become unmanageable at home and the courts have concurred with this as an appropriate placement for this young offender.

In spite of the protestations by the government of the day, we were able to expose specific cases of this inappropriate mixing where high-risk offenders are in with low-risk, low-offence offenders. Although this motion today highlights a lot of the areas of concern, I want to underscore that we have concerns about the inappropriate mixing of young offenders in our facilities.

The member for St George-St David made reference to a comment I made about the Syl Apps centre and a swimming pool. I just wanted to remind everybody that the young offenders are doing quite well in our detention system. I have with me a copy of the architect's plan for the indoor swimming pool at the Syl Apps centre.

In spite of what the ministry wishes to say about denying it, our young offenders at the Syl Apps centre are getting driver's education training for free, or at taxpayers' expense. They're getting a better ratio of student-teacher participation in their education than any student in Halton region. They're receiving specialized educational programs, outdoor programs, travel programs. They're getting a better quality of living inside this detention than most of them will ever experience in their teenage years. That has to be a matter of concern, given the fact that we are all, in society, having to live with restraint.

As my colleague the member for Leeds-Grenville asks, what kind of message are we giving these young people when we provide these kinds of support services to them in a young offender facility? It's not even a facility for criminals. It is more a facility for young offenders where the definition is that they haven't really committed a crime.

This resolution contains many of the concerns that have been expressed by members of the public. It's the tip of an iceberg that calls for substantive reform to the young offenders system; to be proactive and preventive in our school system; to identify these young offenders earlier; to ensure that the programs in the community that assist, such as mental health programs for children, are not severely cut so that these young offenders get into difficulty.

I remind members that when Mike Harris called for these amendments, he called for them with the full support of the citizens of this province, and they expect this government to react. If not, the next Mike Harris government will.

The Deputy Speaker: Mr Harris has moved opposition day motion number 3. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members; a five-minute bell.

The division bells rang from 1757 to 1802.

The Deputy Speaker: Will the members please take their seats.

All those in favour of the motion will please rise one at a time.

Ayes

Arnott, Beer, Bradley, Brown, Callahan, Conway, Crozier, Cunningham, Curling, Daigeler, Eddy, Elston, Eves, Grandmaître, Harnick, Harris, Hodgson, Jackson, Johnson (Don Mills), Jordan, Kormos, McGuinty, McLean, Miclash, Murdoch (Grey-Owen Sound), Murphy, Offer, O'Neil (Quinte), O'Neill (Ottawa-Rideau), Poirier, Ramsay, Runciman, Ruprecht, Sola, Sorbara, Sterling, Stockwell, Tilson, Turnbull, Wilson (Simcoe West).

The Deputy Speaker: All those opposed to the motion will please rise one at a time.

Nays

Abel, Akande, Allen, Bisson, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Dadamo, Duignan, Farnan, Fletcher, Frankford, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Laughren, Lessard;

Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, Morrow, Murdock (Sudbury), O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Rae, Rizzo, Silipo, Sutherland, Swarbrick, Ward, Wark-Martyn, Waters, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziemba.

The Deputy Speaker: The ayes are 40; the nays are 64. I declare the motion lost.

It being past 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 1805.

LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux: Alex D. McFedries

Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités: Deborah Deller

Sergeant at Arms/Sergent d'armes: Thomas Stelling

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma	Wildman, Hon/L'hon Bud (ND) Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Énergie, ministre délégué aux Affaires autochtones	Grey-Owen Sound Guelph	Murdoch, Bill (PC) Fletcher, Derek (ND)
Algoma-Manitoulin Beaches-Woodbine	Brown, Michael A. (L) Lankin, Hon/L'hon Frances (ND) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce	Halton Centre/-Centre Halton North/-Nord Hamilton Centre/-Centre	Sullivan, Barbara (L) Duignan, Noel (ND) Christopherson, Hon/ L'hon David (ND) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Brampton North/-Nord Brampton South/-Sud Brant-Haldimand Brantford	McClelland, Carman (L) Callahan, Robert V. (L) Eddy, Ron (L) Ward, Hon/L'hon Brad (ND) Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances	Hamilton East/-Est Hamilton Mountain	Mackenzie, Hon/L'hon Bob (ND) Minister of Labour / ministre du Travail Charlton, Hon/L'hon Brian A. (ND) Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et ministre délégué à l'Assurance-automobile
Bruce Burlington South/-Sud Cambridge	Elston, Murray J. (L) Jackson, Cameron (PC) Farnan, Hon/L'hon Mike (ND) Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation	Hamilton West/-Ouest Hastings-Peterborough	Allen, Hon/L'hon Richard (ND) Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce Buchanan, Hon/L'hon Elmer (ND) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Carleton Carleton East/-Est Chatham-Kent Cochrane North/-Nord Cochrane South/-Sud Cornwall Don Mills Dovercourt	Sterling, Norman W. (PC) Morin, Gilles E. (L) Hope, Randy R. (ND) Wood, Len (ND) Bisson, Gilles (ND) Cleary, John C. (L) Johnson, David (PC) Silipo, Hon/L'hon Tony (ND) Minister of Community and Social Services / ministre des Services sociaux et communautaires	High Park-Swansea	Ziembra, Hon/L'hon Elaine (ND) Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Downsview Dufferin-Peel Durham Centre/-Centre Durham East/-Est Durham West/-Ouest Durham-York Eglinton Elgin Essex-Kent Essex South/-Sud Etobicoke-Humber Etobicoke-Lakeshore	Perruzza, Anthony (ND) Tilson, David (PC) White, Drummond (ND) Mills, Gordon (ND) Wiseman, Jim (ND) O'Connor, Larry (ND) Poole, Dianne (L) North, Peter (Ind) Hayes, Pat (ND) Crozier, Bruce (L) Henderson, D. James (L) Grier, Hon/L'hon Ruth (ND) Minister of Health / ministre de la Santé	Huron Kenora Kingston and The Islands / Kingston et Les îles Kitchener Kitchener-Wilmot Lake Nipigon/Lac-Nipigon	Klopp, Paul (ND) Miclash, Frank (L) Wilson, Gary (ND) Ferguson, Will (Ind) Cooper, Mike (ND) Pouliot, Hon/L'hon Gilles (ND) Minister of Transportation, minister responsible for francophone affairs / ministre des Transports, ministre délégué aux Affaires francophones
Etobicoke-Rexdale	Philip, Hon/L'hon Ed (ND) Minister of Municipal Affairs, minister responsible for the office for the greater Toronto area / ministre des Affaires municipales, ministre responsable du Bureau de la région du grand Toronto	Lambton Lanark-Renfrew Lawrence Leeds-Grenville Lincoln London Centre/-Centre	MacKinnon, Ellen (ND) Jordan, Leo (PC) Cordiano, Joseph (L) Runciman, Robert W. (PC) Hansen, Ron (ND) Boyd, Hon/L'hon Marion (ND) Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
Etobicoke West/-Ouest Fort William	Stockwell, Chris (PC) McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition	London North/-Nord London South/-Sud Markham Middlesex Mississauga East/-Est Mississauga North/-Nord Mississauga South/-Sud	Cunningham, Dianne (PC) Winniger, David (ND) Cousens, W. Donald (PC) Mathysen, Irene (ND) Sola, John (Ind) Offer, Steven (L) Marland, Margaret (PC)
Fort York Frontenac-Addington	Marchese, Rosario (ND) Wilson, Hon/L'hon Fred (ND) Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga West/-Ouest	Mahoney, Steven W. (L)	St Andrew-St Patrick	Akande, Zanana L. (ND)
Muskoka-Georgian Bay	Waters, Daniel (ND)	St Catharines	Bradley, James J. (L)
Nepean	Daigeler, Hans (L)	St Catharines-Brock	Haecel, Christel (ND)
Niagara Falls	Harrington, Margaret H. (ND)	St George-St David	Murphy, Tim (L)
Niagara South/-Sud	Coppen, Hon/L'hon Shirley (ND) Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs	Sarnia	Huget, Bob (ND)
Nickel Belt	Laughren, Hon/L'hon Floyd (ND) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony (ND)
Nipissing	Harris, Michael D. (PC)	Scarborough-Agincourt	Phillips, Gerry (L)
Norfolk	Jamison, Norm (ND)	Scarborough Centre/-Centre	Owens, Stephen (ND)
Northumberland	Fawcett, Joan M. (L)	Scarborough East/-Est	Frankford, Robert (ND)
Oakville South/-Sud	Carr, Gary (PC)	Scarborough-Ellesmere	Warner, Hon/L'hon David (ND) Speaker / Président
Oakwood	Rizzo, Tony (ND)	Scarborough North/-Nord	Curling, Alvin (L)
Oriole	Caplan, Elinor (L)	Scarborough West/-Ouest	Swarbrick, Hon/L'hon Anne (ND) Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Oshawa	Pilkey, Hon/L'hon Allan (ND) Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales	Simcoe Centre/-Centre	Wessinger, Paul (ND)
Ottawa Centre/-Centre	Gigantes, Hon/L'hon Evelyn (ND) Minister of Housing / ministre du Logement	Simcoe East/-Est	McLean, Allan K. (PC)
Ottawa East/-Est	Grandmaître, Bernard (L)	Simcoe West/-Ouest	Wilson, Jim (PC)
Ottawa-Rideau	O'Neill, Yvonne (L)	Sudbury	Murdock, Sharon (ND)
Ottawa South/-Sud	McGuinty, Dalton (L)	Sudbury East/-Est	Martel, Hon/L'hon Shelley (ND) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Ottawa West/-Ouest	Chiarelli, Robert (L)	Timiskaming	Ramsay, David (L)
Oxford	Sutherland, Kimble (ND)	Victoria-Haliburton	Hodgson, Chris (PC)
Parkdale	Ruprecht, Tony (L)	Waterloo North/-Nord	Witmer, Elizabeth (PC)
Parry Sound	Eves, Ernie L. (PC)	Welland-Thorold	Kormos, Peter (ND)
Perth	Haslam, Karen (ND)	Wellington	Arnott, Ted (PC)
Peterborough	Carter, Jenny (ND)	Wentworth East/-Est	Morrow, Mark (ND)
Port Arthur	Wark-Martyn, Hon/L'hon Shelley (ND) Minister without Portfolio, Ministry of Health / ministre sans portefeuille, ministère de la Santé	Wentworth North/-Nord	Abel, Donald (ND)
Prescott and Russell / Prescott et Russell	Poirier, Jean (L)	Willowdale	Harnick, Charles (PC)
Prince Edward-Lennox-South Hastings/Prince Edward-Lennox-Hastings-Sud	Johnson, Paul R. (ND)	Wilson Heights	Kwinter, Monte (L)
Quinte	O'Neil, Hugh (L)	Windsor-Riverside	Cooke, Hon/L'hon David S. (ND) Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main-d'œuvre
Rainy River	Hampton, Hon/L'hon Howard (ND) Minister of Natural Resources / ministre des Richesses naturelles	Windsor-Sandwich	Dadamo, George (ND)
Renfrew North/-Nord	Conway, Sean G. (L)	Windsor-Walkerville	Lessard, Wayne (ND)
Riverdale	Churley, Hon/L'hon Marilyn (ND) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	York Centre/-Centre	Sorbara, Gregory S. (L)
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Noble (PC)	York East/-Est	Malkowski, Gary (ND)
		York Mills	Turnbull, David (PC)
		York-Mackenzie	Beer, Charles (L)
		York South/-Sud	Rae, Hon/L'hon Bob (ND) Premier, President of the Executive Council, Minister of Inter-governmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
		Yorkview	Mammoliti, George (ND)

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉES PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

Administration of justice/Administration de la justice

Chair/Président: Rosario Marchese
Vice-Chair/Vice-Présidente: Margaret H. Harrington
Zanana L. Akande, Gilles Bisson, Robert Chiarelli,
Alvin Curling, Christel Haeck, Charles Harnick,
Gary Malkowski, Tim Murphy, David Tilson,
David Winninger
Clerk/Greffière: Donna Bryce

Estimates/Budgets des dépenses

Chair/Président: Cameron Jackson
Vice-Chair/Vice-Président: Ted Arnott
Donald Abel, Gary Carr, Noel Duignan, Murray J. Elston,
Derek Fletcher, Pat Hayes, Wayne Lessard,
Steven W. Mahoney, David Ramsay, Jim Wiseman
Clerk/Greffière: Tonia Grannum

**Finance and economic affairs/
Finances et affaires économiques**

Chair/Président: Paul R. Johnson
Vice-Chair/Vice-Président: Jim Wiseman
Elinor Caplan, Gary Carr, W. Donald Cousens,
Karen Haslam, Norm Jamison, Monte Kwinter,
Wayne Lessard, Irene Mathysen, Gerry Phillips,
Kimble Sutherland
Clerk/Greffière: Lynn Mellor

General government/Affaires gouvernementales

Chair/Président: Michael A. Brown
Vice-Chair/Vice-Président: Hans Daigeler
Ted Arnott, George Dadamo, Bernard Grandmaître,
David Johnson, George Mammoliti, Gordon Mills,
Mark Morrow, Gregory S. Sorbara, Paul Wessenger,
Drummond White
Clerk/Greffier: Franco Carrozza

Government agencies/Organismes gouvernementaux

Chair/Présidente: Margaret Marland
Vice-Chair/Vice-Président: Allan K. McLean
James J. Bradley, Jenny Carter, John C. Cleary,
Alvin Curling, Robert Frankford, Margaret H. Harrington,
Gary Malkowski, George Mammoliti, Daniel Waters,
Elizabeth Witmer
Clerk/Greffière: Lynn Mellor

Legislative Assembly/Assemblée législative

Chair/Président: Ron Hansen
Vice-Chair/Vice-Président: Paul Wessenger
George Dadamo, Paul R. Johnson, Ellen MacKinnon,
Irene Mathysen, Carman McClelland, Gilles E. Morin,
Norman W. Sterling, Barbara Sullivan, Kimble Sutherland,
Noble Villeneuve
Clerk/Greffière: Lisa Freedman

Ombudsman

Chair/Président: Tony Rizzo
Vice-Chair/Vice-Président: Gary Wilson
Donald Abel, Zanana L. Akande, Mike Cooper,
Karen Haslam, D. James Henderson, Tony Martin,
Frank Miclash, Bill Murdoch, David Ramsay,
Chris Stockwell
Clerk/Greffier: Todd Decker

Public accounts/Comptes publics

Chair/Président: Joseph Cordiano
Vice-Chair/Vice-Présidente: Dianne Poole
Gilles Bisson, Robert V. Callahan, Bruce Crozier,
Robert Frankford, Rosario Marchese, Margaret Marland,
Larry O'Connor, Stephen Owens, Anthony Perruzza,
David Tilson
Clerk/Greffier: Todd Decker

**Regulations and private bills/
Règlements et projets de loi privés**

Chair/Présidente: Christel Haeck
Vice-Chair/Vice-Présidente: Ellen MacKinnon
Ron Eddy, Derek Fletcher, Ron Hansen, Pat Hayes,
David Johnson, Leo Jordan, Gordon Mills, Hugh O'Neil,
Anthony Perruzza, Tony Ruprecht
Clerk/Greffière: Tonia Grannum

**Resources development/Développement des
ressources**

Chair/Président: Bob Huget
Vice-Chair/Vice-Président: Mike Cooper
Sean G. Conway, Joan M. Fawcett, Leo Jordan, Paul
Klopp, Sharon Murdock, Steven Offer, David Turnbull,
Daniel Waters, Gary Wilson, Len Wood
Clerk/Greffière: Tannis Manikel

Social development/Affaires sociales

Chair/Président: Charles Beer
Vice-Chair/Vice-Président: Ron Eddy
Jenny Carter, Dianne Cunningham, Randy R. Hope,
Tony Martin, Dalton McGuinty, Larry O'Connor,
Yvonne O'Neill, Stephen Owens, Tony Rizzo, Jim Wilson
Clerk/Greffier: Douglas Arnott

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

PREMIÈRE LECTURE

Loi de 1994 modifiant le Code de la route (panneau de véhicule lent), projet de loi 176, *M. Hayes* . . . 6698

Adoptée 6698



No. 140

N° 140

ISSN 1180-2987

**Legislative Assembly
of Ontario**

Third Session, 35th Parliament

**Assemblée législative
de l'Ontario**

Troisième session, 35^e législature

**Official Report
of Debates
(Hansard)**

Wednesday 8 June 1994

**Journal
des débats
(Hansard)**

Mercredi 8 juin 1994



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers

50th anniversary

1944–1994

50^e anniversaire

Hansard is 50

Hansard reporting of complete sessions of the Legislative Assembly of Ontario began on 23 February 1944 with the 21st Parliament. A commemorative display may be viewed on the main floor of the Legislative Building.

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats a 50 ans

Le reportage des sessions intégrales de l'Assemblée législative de l'Ontario, fait par le Journal des débats, a commencé le 23 février 1944 avec la 21^e législature. Une exposition pour marquer cet événement est étalée au premier étage de l'Édifice du Parlement.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 8 June 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 8 juin 1994

The House met at 1332.

Prayers.

MEMBERS' STATEMENTS COMMUNITY WITNESS PROGRAM

Mr Tim Murphy (St George-St David): I rise this afternoon to speak about an issue of concern to all Ontarians and especially people in my riding: crime.

I want to draw the attention of this House to one initiative which speaks not only to how to eliminate crime in our streets but also to how we as citizens, neighbours and friends can work together to restore safety to our streets. This initiative is the community witness program.

This morning I accompanied a great many people from my riding to the district courthouse to attend the first sentencing hearing arranged through my office under the guise of the community witness program. We arranged to have a witness testify on the impact of crime in the community but, as an indication of the impact witnesses have on influencing a judge's sentencing decision, the defence counsel used every argument he could to have the case adjourned to another date and was successful, this time. The adjournment of this case has strengthened the resolve of the community witnesses to strive even harder to attend more hearings.

I want to underscore one fact: 80% of the crimes committed in the Regent Park area are done by people who live outside the neighbourhood. That is why this program means so much to residents who live there. It gives them a way to claim their streets and their neighbourhoods as their own and provides a way to influence a justice system that so often seems to ignore them.

I would like also to take this opportunity to thank the witnesses and the community residents who came out in support of the initiative. Your work is sending a strong message to criminals, and even though not all of your neighbours realize it, your neighbourhood is a better place today because of it.

I hope that through a program like this one other members can encourage their communities to get involved in a similar initiative.

JUNIOR KINDERGARTEN

Mr Gary Carr (Oakville South): The board of education and the parents in my riding have recommended that any implementation of junior kindergarten be put on hold. They object very strongly to the cost of the program and find it unacceptable and irresponsible that the government would force the board of education to find the space, the teachers and the funding for this program. There are no funds to administer the present curriculum, and the facilities for the students currently enrolled are strained.

To implement junior kindergarten at this time is totally unrealistic. Where will the money come from? Will taxes be raised again? The total cost of this program is expected to be \$4.9 million and the operational costs would be in the neighbourhood of \$8 million. Minister of Education and Training, there is no money for this optional luxury. Why are you forcing it on the people of my riding?

BELLE RIVER MINOR HOCKEY ASSOCIATION

Mr Pat Hayes (Essex-Kent): On behalf of my constituents I'd like to bring to the House's attention the terrific achievement of the Belle River Minor Hockey Association.

The Belle River Minor Hockey Association has recently celebrated its 25th anniversary, which is an achievement in itself when one considers all the voluntary hours that parents, coaches, trainers and managers give.

However, the Belle River Minor Hockey Association has more to celebrate than 25 years of teaching children the great Canadian game of hockey. The Pee wee Minor Travel Team has a list of remarkable achievements that I'd like to share with the members of the House.

In 1992 the Pee wee Minor Travel Team became the All-Ontario Champions. In 1993 the Pee wee Minor Travel Team became the All-Ontario finalists and the North American Silver Stick Champions. In 1994 the Pee wee Minor Travel Team became the All-Ontario Champions and the North American Silver Stick Champions again.

I believe that the players of this team deserve a special mention: Scott Nadalin, Christopher Bauer, Jason St Pierre, Ryan Klokman, Jeffrey Bialkowski, Mike Quinn, Stephen Hildenbrand, Ian Leavoy, Dave Poisson, Neil Barrette, Michael Reimnitz, Brandon Tootill, Craig Mahon, Joel Cecile, Ryan Decker, Jesse Fowler, Kevin Rivest, Steve Farrer and Kyle Raymond.

Also, the Belle River Canadians Junior C Team became the All-Ontario Champions in 1994 for the third time in 10 years.

More, the Belle River Minor Hockey Association has had two players go on to play in the NHL: Mike Natyshak, who unfortunately had to retire due to injury, and Tie Domi, who currently plays for Winnipeg.

I'm proud that the community of Belle River gives such tremendous support to its minor hockey association. The whole community shares in the work of running the association and shares the upset of defeat and shares in the glory of championship. Well done, Belle River Minor Hockey Association.

TOURISM

Mr Hugh O'Neil (Quinte): As the past Minister of Tourism and Recreation, I'd like to talk today about some

of the wonderful tourism attractions that we have in the province of Ontario and encourage our many citizens and those from around the world to come and visit us.

First, I'd like to touch on the Stratford Festival. People from all parts of the world visit Stratford to attend the plays put on by a cast of experts, and I encourage all those listening today to order their brochures. They have a beautiful brochure to pick up. Visit that area and take in some of the plays.

In the same area we have the Blyth Festival, the Elora Festival, the Grand Bend Festival in Huron county and the Drayton Festival Theatre. Another place that we really like to visit each year is Niagara-on-the-Lake, the Shaw Festival, with some great attractions there, great places to visit.

I'd be remiss if I didn't talk a little bit about the Quinte area. We have coming up on June 25 and 26 at Canadian Forces Base Trenton the spectacular Quinte International Air Show. Again, that brochure is available for anyone who would like to order it. I encourage them to get hold of my office or somebody in the Trenton area. It's a great air show, one of the best in the province.

We also have many other great attractions in the Quinte area, stretching from Picton, the Trenton-Belleville area, with a waterfront festival on July 8, 9 and 10 in Belleville and, in the latter part of July, the Trenton bathtub races.

Let's support our tourism industry in the province of Ontario. Let's get out and visit all these great communities.

1340

GREY-SAUBLE CONSERVATION AUTHORITY

Mr Bill Murdoch (Grey-Owen Sound): This statement is for the Minister of Natural Resources. Last week I sent a letter to the minister on behalf of the Grey-Sauble Conservation Authority. In it I outlined the necessity of speeding up approval of the authority's application for fill, construction and alteration to waterways regulations. Without these regulations, the authority has no control over the filling or alteration of wetlands within its jurisdiction.

Grey-Sauble prepared the required maps and schedules and submitted them to the ministry for approval before Christmas last year. To date, they are one of the last authorities in the province waiting for approval. Both neighbouring authorities in Grey county—Nottawasaga and Saugeen—and also the Grand Valley have enforceable regulations for the protection of significant wetlands.

I realize only one week has passed since I wrote the minister. However, these regulations are extremely important due to the potential illegal situation in Collingwood township. There is currently an individual filling a wetland within this Grey-Sauble watershed. If the filling is illegal, the authority needs the regulations in order to prevent it from continuing.

Will the minister please look into this matter today. Approval of the regulations must be expedited to give the Grey-Sauble Conservation Authority the power to protect its jurisdiction from illegal fill, construction or alteration of significant wetlands.

CARROUSEL OF THE NATIONS

Mr Wayne Lessard (Windsor-Walkerville): The 19th annual Carrousel of the Nations, Windsor's multicultural festival presented by the Multicultural Council of Windsor and Essex County, will be held this Friday to Sunday, June 10 to 12, and the following weekend as well.

This year Carrousel will pay tribute to the United Nations International Year of the Family and will feature 29 ethnocultural villages, including British, Caribbean, Chinese, Filipino, German, Greek, two Hungarian villages, Indian, Irish, Israeli, Islamic, Italian, Japanese, Lebanese, Macedonian, Maltese, Polish, Scottish, two Serbian villages, two Slovak villages, three Ukrainian villages and Vietnamese. I want to welcome three new villages this year: Korean, Pakistani and Portuguese.

Most of these villages are located in my riding of Windsor-Walkerville and all will be presenting the best in traditional cuisine, entertainment and arts and crafts, and the best part is, admission is free.

I want to recognize and express my thanks to CBC, the sponsors of this year's Carrousel, and also say thank you to the hundreds of volunteers who make this event a success. At a time when there is violent conflict in many areas of the world, I'm proud to say that I represent a city where different cultures can not only coexist but can also celebrate together.

I invite all who are watching and who are listening to come to Windsor, tour the world, and celebrate Carrousel.

WATER EXTRACTION AGREEMENTS

Mr Murray J. Elston (Bruce): While the world is quickly coming up with concerns about water, a current edition of the local municipal magazine, Municipal World, has a headline story called Water: Waste Not, Want Not.

In November of last year I introduced my Bill 126, which would deal with water extraction agreements and which provided for local municipalities a means for them to participate in decisions about water extraction. It also provided a very much more broadly based consultation process where the local citizens around the water-taking sites could be included in some of the determinations about what the extraction programs would do to the supply of water in their area.

There are, of course, other provisions associated with it, but all are based on the fact that the Ministry of Environment and Energy will continue to deal with the issues of quality and quantity of water.

I urge all of those people who in this House voted in support of this bill on second reading and ultimately sent it to committee of the whole House to bring this bill back on so that we can complete at least one step in a process in this Legislative Assembly to assist people locally to take charge of their local resource and one of the most important resources for all of us, that being water.

It won't take that much time, but it will be, for all of us who expect water to continue to become a growing and much more important issue, the most important first step that this Legislative Assembly could take in guarding and protecting our water resources.

GOVERNMENT'S AGENDA

Mr Allan K. McLean (Simcoe East): My statement concerns the government's continued abuse of the traditional democratic process in the province of Ontario.

Example 1: The government scheduled a free vote at 5:45 pm today on second reading of Bill 167, the Equality Rights Statute Law Amendment Act, and the vote has been cancelled. That's not democracy in action. I suspect the government discovered it needed more time to do some arm-twisting of NDP backbenchers rather than facing the embarrassment of a failed vote.

Example 2: The government has scheduled a time allocation motion today to cut off debate on Bill 91, the Agricultural Labour Relations Act. The government must invoke closure because it knows this legislation is seriously flawed. It is so flawed in fact that there are 25 amendments and 28 pages on which the government will allow only one hour of consideration in committee of the whole House. Why the rush? What are you hiding? Perhaps you should refer to the Common Sense Revolution, which clearly contains no cuts to agriculture.

Example 3: The government let the Sewell commission wander around the province for two years and then directs municipalities to respond within 90 days. I understand you plan to rush Bill 163 to public hearings this summer before any logical review and response can be prepared by the Ontario municipalities.

This government clearly shows little respect for the people of Ontario. Perhaps it's time for this government to step back from its partisan political agenda and start listening to the people rather than shutting them out.

STRATFORD FESTIVAL

Mrs Karen Haslam (Perth): I appreciate the member for Quinte mentioning the Stratford Festival. As a matter of fact, it was on Monday that we just opened the festival. We were able to see a wonderful performance of Twelfth Night directed by Richard Monette. It was a rich performance, well directed, with a lot of comedic highlights.

Also, this last Friday I attended the opening of *Cyrano de Bergerac* starring Colm Feore, another wonderful, wonderful production. It's one of the most engaging performances I have ever seen and I think this is one of his finest performances.

In between, we also had the opening of *The Pirates of Penzance*, again with Colm Feore, another wonderful musical that I am recommending to everyone that they take time to see.

We have three theatres in Stratford. We have the Avon Theatre, the Tom Patterson Theatre and the main stage, all of them with many performances scheduled for this year.

The Stratford Festival is one of the most prestigious cultural performing arts centres in Ontario—

Mrs Margaret Marland (Mississauga South): Agreed.

Mrs Haslam: I'm glad you agree. Thank you to the member for Mississauga South.

I encourage everybody across the floor and on this side

to come to Stratford. We are ready for you. We have wonderful cultural shows for you to see. We have many antique stores in the surrounding areas. We are in the midst of a wonderful agricultural area. Come to Stratford and enjoy the culture that we offer.

ORAL QUESTIONS

INSURANCE TAX

Mr Steven Offer (Mississauga North): My question is to the Minister of Finance. I'm waiting for the Minister of Finance to take his seat.

Minister, yesterday we brought to the public's attention that your government's pledge not to introduce any new taxes had been broken. It turns out that you were unable to resist the temptation to find a new way to tax consumers and that you had decided to tax the deductible on insurance premiums.

This is a mystifying turn of events. The insurance industries didn't ask for it and have said they don't want it. It's going to hurt their customers, and they don't think it's fair.

I have a very simple question to the Treasurer: Will you retract this policy and repeal the tax that you had indicated you would not impose in the first place?

Mr Gregory S. Sorbara (York Centre): Take a little stroll while you're thinking about the answer. The mike will follow you.

Hon Floyd Laughren (Minister of Finance): I appreciate the suggestions from across the floor as to how I should prepare myself for these kinds of difficult questions.

I appreciate the member raising this issue yesterday. Since he did that, I've had some preliminary meetings with people in the ministry, particularly the revenue section of the ministry, from whence the memo came.

Mr Steven W. Mahoney (Mississauga West): Is there another section?

Hon Mr Laughren: Yes.

Mr Mahoney: There is?

Hon Mr Laughren: Yes.

If I could get back to the question, Mr Speaker, the member asked about the sales tax on deductible for insurance policies. I just wanted to assure him that I have been meeting with the people in the ministry and we've established some preliminary consultations already with the industry.

I just want to assure the member that this is not a new tax. There is no new tax here. It's not a tax that was in the budget from 1993; it's not a new tax that was in the budget from 1994, although there has been a shift in the collection of the tax, but it does not bring in one—

Interjections.

The Speaker (Hon David Warner): Order.

Hon Mr Laughren: It does not bring in one new nickel to the Ontario treasury.

1350

Mr Offer: This is a new tax, and not only that, this is a matter of your credibility, because a tax is a tax is a tax. The insurance companies say that your new policy

violates every single policy of insurance in this province. A deductible is not a deductible plus tax; it is just a deductible. No matter what spin you may want to put on it, consumers are now facing a tax where they didn't face one before.

Minister, in your last budget, the third-last line that you read in this place stated there are "no new taxes and no tax increases." In your memo of May 16, two weeks after this budget—the ink had not yet dried—you are imposing a new tax on consumers on their deductibles in insurance.

How can you justify slapping another tax on insurance and consumers when you said you would not increase the tax burden faced by the people of this province? How can you justify the position you took in your budget with the memo of your own ministry two weeks later?

Applause.

Hon Mr Laughren: I appreciate the applause. But I can tell you that what was stated in that budget, that there are "no new taxes and no tax increases," is absolutely and 100% correct. That tax was buried before and now is more evident, more visible, and I appreciate that, but that tax does not bring in one new nickel, not one nickel to the Ontario treasury. How can the member opposite say that this is a new tax, when it doesn't bring a nickel more into the treasury of the province of Ontario—not a nickel?

Mr Offer: Let me try to explain to the minister how his new tax is a tax. A few months ago, if someone suffered damage to, let's say, their home—their home was broken into or there was a fire in their home and damage occurred—in the event that they had an insurance policy to which there was a deductible of, for example, \$250, two months ago they would have paid the \$250 and the insurance company would have looked after the terms of the policy and replaced the loss.

Now, under your new tax, that person doesn't pay just \$250; they pay \$250 plus 8%, or \$270. Minister, maybe not you, but for every other person in this province, they are paying a tax on their deductible. This was an amount which previously was paid by the insurance company. Your policy has now changed it so that we, as consumers, are going to have to pay a new tax.

My question remains: Your budget stated there are "no new taxes and no tax increases." As far as the people of this province are concerned, there is a new tax: on their deductible. My question remains, why did you abandon your promise and why don't you just simply retract this tax burden which you have imposed on the people of the province?

Hon Mr Laughren: I'm very pleased and I want to thank the member opposite for clarifying his own previous comments, because what he's just said is that this tax was already there. It was buried; that's the difference. The member said it himself and knows full well that there's no new tax being imposed by the government to increase the revenues of the province in this regard. The member opposite said so himself.

Mr Offer: Consumers are paying the tax.

Hon Mr Laughren: Now he's tripping over his own

explanation, because there is no increase in taxes to the treasury of this province. The fact remains that the tax was buried before and now it's not.

AGRICULTURAL LABOUR POLICY

Mrs Joan M. Fawcett (Northumberland): My question is for the Minister of Labour. Late yesterday afternoon, your government filed a time allocation motion on Bill 91, the farm unionization legislation, to force it through committee without giving a chance to the public, and especially our farmers, of even the remotest possibility of being heard. After months of controversy, and with farmers across the province angry and upset with your unionization agenda, you have decided that you will not allow the public to have their say. Minister, why have you decided to refuse public hearings on Bill 91? What are you afraid of hearing?

Hon Bob Mackenzie (Minister of Labour): I'm not the least bit afraid of hearings. We went through a year and a half—

Interjections.

The Speaker (Hon David Warner): Order.

Hon Mr Mackenzie: They don't want to listen to it, Mr Speaker.

Mrs Fawcett: You say that the Agricultural Labour Management Advisory Committee accepts this legislation, but what you don't say is that you didn't really offer the farm community any alternatives. First, you take away the agricultural exemption and make farmers face the full unionization provisions of Bill 40. Then you said that farmers wouldn't have to face the full strike provisions of Bill 40 if they only agreed to the more moderate unionization provisions of Bill 91. Of course farmers prefer Bill 91 after you hog-tied them to Bill 40, but it is not accurate at all to say that any farmer wants Bill 91. This is purely a figment of your labour-saturated imagination. Minister, what farmer has asked for this legislation, or were you downtown in Hamilton on a main street corner taking your survey?

Hon Mr Mackenzie: It seems to me, if I'm remembering my schedule correctly, that I spoke at an OFA farmers' convention just a matter of months ago and I think we had two people in the audience, and there was quite a large audience, who raised questions about the bill, but I certainly didn't get chased out of that hall by the farmers at all when we raised it.

I might also say that we've gone through two sessions, the best part of a year, and we reached a consensus between farm groups, between the Ontario Federation of Agriculture and the labour movement, and we got a consensus recommendation on this legislation. I don't know where the member across the way is coming from.

Mr John C. Cleary (Cornwall): Minister, if you are intent on forcing your anti-business and anti-farm agenda on the province, why don't you at least allow farmers to have their say in public hearings on Bill 91? Farmers in Ontario need help in understanding how this will help them to be more competitive, more productive and how it will help them to be more profitable.

I have been speaking to farmers in S-D-G & East

Grenville, Prescott and Russell, Renfrew, Middlesex, St Catharines-Brock, Welland-Thorold, Huron, Lincoln, Carleton, Prince Edward-Lennox, Victoria-Haliburton, Bruce and Grey and many others, and I haven't had one farmer tell me that he supports your plan in Bill 91. Minister, your agenda for agriculture is about as helpful as a late spring frost or a flood.

Minister, why don't you start to listen? The farmers don't want your Bill 91. Who wants Bill 91? Please answer the question.

Hon Mr Mackenzie: I take it that the member across the way is writing off totally the OFA and the people who sat on that committee for the best part of a year and reached the consensus that was reached. I have to admit I'm not a farmer, but I can tell you that I've had a fair number of discussions on this and I suspect I'm as close to some of the farm communities as the member across the way who asked me about what I knew about farming. I've sat down with my kid brother, who is a full-time farmer, and discussed many of these issues.

The Speaker: New question, the leader of the third party.

Mr Steven W. Mahoney (Mississauga West): Come on boys, let's go.

The Speaker: Order, the member for Mississauga West. The honourable leader of the third party with his question.

Mr Michael D. Harris (Nipissing): I too have a question for the Minister of Labour. Following up on the question of the member for Northumberland, let me say that I thought it was an excellent question, very well put. I was a little disappointed that the farmers of Nipissing were not mentioned in the supplementary, but I can assure the member for Cornwall that not one farmer in Nipissing has told me that they support this legislation—not one.

I wonder if the minister could stand in this Legislature and, other than his family—I was surprised there are some in farming; I thought most of them worked for the government—put on the record the name of one farmer in Ontario who wants this legislation.

Hon Mr Mackenzie: The usual process, when you're looking at a new bill, is to go through a consultation process. This particular bill went through two consultation processes and reached a consensus. There were representatives there from the farm community as well as the ministry and as well as the labour community, and they reached a consensus on the bill. There wasn't a division; there was consensus on the legislation.

Mr Harris: I take from the minister's answer and from the lack of notes coming in that neither you nor your colleagues, nor your researchers nor any of your staff know one farmer—probably not even your brother—who believes that this legislation is better than no legislation.

Minister, I want clearly on the record that one of the first things we will do, along with scrapping Bill 40, is to scrap Bill 91, which you are ramming roughshod through this Legislature and through the agricultural community of Ontario.

I would ask you this: Rather than have a piece of legislation that we're going to scrap at the very first opportunity, would you not suggest, and think about this, that it would be far better, for the next six months, year, or however long you last over there, for the farmers of Ontario, for agriculture in this province, if you simply withdrew this bill, stop this nonsense, instead of jamming it down the throat of every farmer in this province?

Hon Mr Mackenzie: You would almost think it was something new that the leader of the third party was raising.

When we went through the Bill 40 debate, which is long over now—and which, incidentally, is working; something else he wants to scrap—we put in place two stakeholders that said we were going to proceed with a construction labour bill and an agricultural labour bill. That's been out in the public agenda for two, three years. We then went through the process of consultation, we reached an agreement on this legislation and that's what we're proceeding with.

Mr Harris: I tell you, Bill 40 is working all right. It's working to sell memberships in our party. That's the only area where I've seen it working. Not only that, it's working to sell memberships in our party from union members all across this province, because the bill is not working for them either. It is costing them jobs. It is costing them decision-making power. It has put power in the hands of a very few, elite, vested-interest few, not the working men and women of this province. That's why, time after time, somebody has to stand up in this Legislature and speak on behalf of the brothers and the sisters who want jobs in this province.

I am standing in this Legislature, along with the member for Northumberland, along with the member for Cornwall, along with every single member of our caucus on behalf of every farmer in this province. Since you can't name one—you cannot name one—who wants this piece of legislation, will you withdraw this legislation and listen once and for all to what the people of Ontario are telling you?

Hon Mr Mackenzie: I guess if I was a Tory, then I might be willing to take a look at withdrawing legislation that protects workers in the province of Ontario. I'm glad that every time the leader of the third party gets up and makes it clear to workers across the province of Ontario, "If you elect us, you're going to see the legislation that's there to protect workers"—and is doing a good job of it—"destroyed in the province of Ontario"—I'm not sure that's what workers in the province of Ontario want.

If it came to naming farmers, I think that's a con game, but we've got one right in our own caucus who supports this legislation.

JUSTICE SYSTEM

Mr Robert W. Runciman (Leeds-Grenville): My question is for the Attorney General, and I think I should also emphasize the minister responsible for women's issues.

The minister will be familiar with press reports today related to an appearance by Gabrielle Lavalée—I'm not sure if I'm pronouncing that correctly—who appeared

before the Ontario Criminal Injuries Compensation Board in Toronto and "told how Roch Theriault used pliers to pull out eight of her teeth, severed her arm with a dull knife and used welding equipment to 'cauterize the wound.'"

Many Ontarians know about these incidents. What they don't know is that the OPP catalogued another 84 atrocities and that your ministry cut a plea bargain covering up this monster's additional crimes. Minister, how could this happen? How could you agree to a deal with the devil?

Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues): What the member neglects to say is that on the charges on which the perpetrator was convicted, he was sentenced to a life term. We have in Canadian law a practice where you can't get longer than a life term. It's not like in some of the states in the United States where you can pile up life term after life term and get 340 years or whatever the total is. There are sentencing principles in this country that prevent that, and it is not unusual for the strongest cases to come forward for convictions to be registered. In this case, there was more than one conviction registered against this person.

I would say to the member that indeed this was vigorously prosecuted. This person was sentenced to a life term and, contrary to press reports, a 15-year wait for parole, which is the top amount that's allowed.

Mr Runciman: It's 10 years.

Hon Mrs Boyd: That's what the press says, but that's not what my notes tell me.

1410

Mr Runciman: That's a simply despicable response. With all due respect, I want to say that this minister is standing here today defending the decision. She doesn't even talk about the fact that the OPP were preparing a dangerous offender application. If anyone should qualify for the status of dangerous offender, it's this particular individual.

In the preliminary hearing five former cult members testified against Mr Theriault. They were prepared to do so at a trial and at a dangerous offender hearing. There are medical records on file that illustrate the injuries inflicted to cult members. We're talking about women victims here, at least nine women victims: one murdered, one with her arm cut off, and the rest with disfiguring mutilations. And this minister can get up and stand here today and defend the actions of her crown and her ministry in this respect.

I once again ask you, how in the world can you allow this individual, five years from now, to walk the streets of Ontario? How can you justify that?

Hon Mrs Boyd: First of all, it is crown attorneys who apply for a dangerous offender application. If that was not done at the time of conviction—they do that in conjunction with the police, obviously, and bring together all the evidence. I would remind the member that if he looks at my record as Attorney General, I have been considered extraordinarily vigorous in terms of dangerous offender applications.

I agree with him that in very serious cases, and we have instructed crowns on this, they must consider dangerous offender applications, and where the tests are met—there are four tests that need to be met—indeed those will be seriously considered. If the tests are met, they will be applied for. That is the policy I have applied as Attorney General.

I must say to the member that his gratuitous attacks on crown attorneys are very difficult to defend when I don't have the full facts in front of me as to the prosecutability of these things. There are 4.5 million charges in this province and no crown attorney shares all those details with an Attorney General. It is extremely important for this member to understand that the facts of the particular case are the facts that are gone on in this situation, and it is extremely important for us to recognize that crowns have both have strong encouragement—

Interjection.

The Speaker (Hon David Warner): The member for Burlington South, please come to order.

Hon Mrs Boyd: —and indeed direction to prosecute vigorously in these very serious matters.

Mr Runciman: Indeed they are serious matters, and the Attorney General did not respond in a like manner in terms of the responsibilities she has as the Attorney General. It's her role to review what all crowns in this province are doing, and she's not admitting to reviewing this particular situation. She's also the minister responsible for women's issues. I talked about how nine of the 11 people involved in this were women. We talked about burning breasts with a welding torch, using vise grips to squeeze two women's nipples until they bled, using acetylene torches to roast a woman's flesh, cutting off a woman's finger with wire cutters; nine mind-numbing atrocities, including a murder, cutting off an arm. Those are the kinds of things where this minister is standing up and saying, "The crown did well."

No one in Ontario accepts the fact that you swept these 84 additional charges under the rug. You tried to hide them from the public. That is the reality. You had a dangerous offender application being prepared by the OPP. That as well was swept under the rug.

I ask you today, at the very least, to commit to turning over the crown's files on these additional charges to the federal parole board so that this animal is kept behind bars and does not further jeopardize public safety.

Hon Mrs Boyd: I would remind the member that the sentencing in this case occurred in January 1993, which was before I became Attorney General, and the conviction was registered well before I became Attorney General.

I would also tell the member that I agree with him. In terms of the issues that have been uncovered by the police in the investigation and so on, I believe there ought to be some way for the federal parole board to take that into account when the time comes to consider parole. We have pledged ourselves to work with the federal government on how to deal with those kinds of high-risk offenders and how to deal more effectively with exactly the issue he's raising. We are also very concerned and

have expressed that concern, as have our colleagues in other provinces, about the need to deal with those matters a bit more effectively.

SPECIAL SERVICES AT HOME PROGRAM

Mrs Yvonne O'Neill (Ottawa-Rideau): My question is to the Minister of Community and Social Services. Another success story is undergoing serious cutbacks, a program which supports families as they meet ongoing challenges. Members of the Special Services at Home Family Alliance, representing 9,000 families with chapters right across this province, many of whom are here today, requested a meeting with you, Minister, in November 1993. Since April, they have called your office every day for a three-week period, calls placed time and time again. These families have already saved this province and your ministry millions of dollars. These families want me to ask you why you will not meet with them.

Hon Tony Silipo (Minister of Community and Social Services): The association to which the member refers has been meeting regularly with officials of the ministry. In fact, they've been involved in a working group with ministry officials, which has resulted in a report that I have seen and have discussed with my officials—we are reviewing now a more detailed response to it—in which they have set out for us very clearly some very good suggestions for ways in which we can improve the special services at home program.

I can tell the member, as we've already indicated to the association, that we are taking those recommendations very seriously and we are going to be responding to them in very short order. I think they will be pleased to see we have taken those issues very seriously and the advice they have given to us quite seriously.

Mrs O'Neill: That answer of the minister may be comforting. We will like to see what it really means. I still think the political will—the minister himself could have given some authenticity to this by meeting with this group of 9,000.

In Mississauga there are no special-services-at-home dollars for respite care. However, if respite care is required by families in Mississauga, they're offered a one-week minimum stay at Bloorview at a cost of \$300 to \$600 a day. The more favourable option, the option preferred by families, respite care at home to satisfy the same need, would cost between \$10 and \$25 a day. What a difference.

I remind the minister that there are many qualified graduates both from colleges and universities who are available to provide these services in these homes.

Minister, in this International Year of the Family, why have you chosen the most expensive option, the most disruptive option, to provide respite care for the functional families that need this support?

Hon Mr Silipo: Once again I can tell the member, as I'm sure she knows, that this was clearly one of the issues the working group discussed and about which they put together some recommendations.

What the member has of course failed to mention is that we have, every year since we've become the government, increased funding to the special services at home

in significant proportions relative to what has happened to other areas of our budget. I can tell the member today that when we announce the funding for this program for this year, there will continue to be an increase in the amount of money we will spend this year as opposed to last year. That is in addition to looking at the kinds of inequities that exist throughout the province and looking also at the kinds of areas that are covered under this program in keeping with the kinds of recommendations that have come from the working group.

Far from being unsupportive, we are being very supportive to the degree that our fiscal abilities allow us and, quite frankly, even beyond in this area, because we recognize the importance of a service like this that allows people to be served at home with some assistance for respite and other kinds of help that do allow people with needs to be served in their own communities and in their own homes.

1420

CORPORATION FILING PROGRAM

Mr Ernie L. Eves (Parry Sound): My question is to the Minister of Consumer and Commercial Relations. Minister, today at the leaders' debate sponsored by the Canadian Manufacturers' Association, the Premier stated that the corporate filing fee is a responsible user fee concept and that this charge is in line with what it costs to provide the service. We know the corporate filing fees are \$50 for for-profit corporations and \$25 for non-profit. How much does it in fact cost your ministry to administer this service?

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): I don't have the figure, but I imagine the member is going to give me that in his supplementary, so I will wait until his supplementary to follow up.

Mr Eves: I would have thought the minister would know the answer to the question, because during the estimates committee hearings of November 3, 1992, her assistant deputy minister, Mr Art Daniels, was asked this exact question. He revealed that the corporate filing fee would generate income to the province of some \$10 million a year, that the cost to your ministry to file these fees and send them out was \$2 million a year, and that the province of Ontario would net \$8 million a year.

How do you justify this with the statement your Premier made this morning, which was that this was a user fee concept, and all you were doing was recouping what it costs you to do this? In fact, that is not the fact. You are scooping eight million bucks a year off the top. Is that not correct?

Hon Ms Churley: I think there is something being left out of the equation here. The member may or may not know that the ministry is in the process—

Mr Eves: Only your lack of knowledge. Your deputy knew this two years ago. Sixty seconds ago you didn't know the answer. Now you know it.

The Speaker (Hon David Warner): The member for Parry Sound, please come to order.

Hon Ms Churley: The ministry is in the process of investing substantially in something called OBNIS, which

is computerizing all the companies' databases and up-to-date information. That does cost the government and therefore the taxpayers, whom he is so greatly concerned about all the time, money. It seems to make sense to this government and to this minister that as we are in the process of updating and computerizing and modernizing this system so that the public—

Mr Eves: The net profit to the province is eight million bucks a year, no matter how you slice it. That's what it is. Art Daniels said so.

The Speaker: Could the member for Parry Sound please come to order.

Hon Ms Churley: When you realize that this system is searched between 240,000 and 350,000 times a year, we have to make sure, for the public, that the database is up-to-date and computerized. The money should come from the users of the system, and that's what we're doing.

TOURISM

Mrs Karen Haslam (Perth): I mentioned the opening of Stratford and I want to now switch to Stratford the city. We do rely heavily on the cultural festival and the tourism industry in general, so my question is for the Minister of Culture, Tourism and Recreation.

I recently heard some good news about the number of tourists—

Mr Gregory S. Sorbara (York Centre): There are no commercials allowed in here. This is a commercial-free Parliament.

The Speaker (Hon David Warner): The member for York Centre, please come to order.

Mrs Haslam: It's nice that the member could finally join us here. There are some of us who keep this as a full-time job.

To the Minister of Culture, Tourism and Recreation, naturally I'm interested in tourism, because tourism plays a very important part in my region, particularly in Stratford and particularly around the cultural entities in Stratford.

I'd like to have the minister tell me what she's doing to enhance and take advantage of—because I do think this is important—the tourism potential of the Stratford Festival, since it is such a well-known cultural entity in Ontario.

Hon Anne Swarbrick (Minister of Culture, Tourism and Recreation): Since domestic tourism is tremendously important in Ontario, I would hope the opposition wouldn't mind once in a while joining along with the former Minister of Tourism for that side in helping to promote it.

I was recently pleased to join the member for Perth at tourism night at the Stratford Festival, so I'm certainly delighted to confirm the importance that the Stratford Festival plays to tourism in the Ontario economy. Some of the many things our government has been doing to promote it include supporting many familiarization tours to the Stratford Festival for international tour operators and promoting the Stratford Festival as one of the principal participants at our annual Ontario theatre

marketplace. And of course I'm delighted that our government has fully protected the funding of the Ontario Arts Council so that we're able to continue flowing \$1.6 million per year to support the Stratford Festival.

Mrs Haslam: I'm in the county of Perth, one town I have is Stratford, one of the largest cultural theatres in Ontario, but I also have a large county area, and I'm very interested in other ways of enhancing tourism in southwestern region.

I'm asking the minister if there is support for tourism—not just cultural tourism, because I know how you're working in cultural tourism now. But have you also looked at other kinds of tourism in the southwestern region that can build on the successes we have?

Hon Ms Swarbrick: There are a number of aggressive public relations activities my ministry uses to help promote the Stratford and Perth area, including having been successful recently in receiving a very high-profile article in the prestigious American magazine the Atlantic promoting the area.

We've also been delighted as a government to use the Jobs Ontario Community Action program to help promote many tourism projects, including in the Stratford and Perth area the agri-tourism pilot project. We've also been delighted to continue supporting the marketing and administrative grant to the Southwestern Ontario Travel Association to promote the area as one of Ontario's key tourism destinations. We're also delighted each year to give marketing seminars to the visitors bureau there.

In closing, some of the new initiatives have included developing for the first time ever in Ontario the Ontario Tourism Education Council—

The Speaker: Could the minister conclude her response, please.

Hon Ms Swarbrick: —to train hospitality staff in improving hospitality and service in this province. We're now listed on the World Travel File, including the area of Stratford.

The Speaker: Could the minister please conclude her response.

Hon Ms Swarbrick: We've retained a public relations firm in Germany and Britain to help promote it—

The Speaker: Would the minister please take her seat.

CRIMINAL INJURIES COMPENSATION BOARD

Mr Robert Chiarelli (Ottawa West): In true non-partisan fashion, I have abbreviated my question to accommodate that lengthy response.

My question is to the Attorney General. Minister, the just-released annual report of the Ontario Criminal Injuries Compensation Board revealed a backlog of 6,678 cases. This is an addition of almost 1,000 more cases to an already unacceptable backlog, a backlog which forces victims of crime to face lengthy delays with added emotional strain. As the minister responsible, why have you let this happen?

Hon Marion Boyd (Attorney General): The member refers to the 1992-93 annual report, which was recently tabled. It is true that in 1992-93 there was a growth in

the number of cases that were backlogged, and we responded to that with great concern. We have made some very strong administrative changes. We've added a number of people to the board to change that. In fact, in 1993-94 we increased the number of hearings we had by 33%. We changed many of what used to be oral hearings to documentary hearings so that people did not have to go through the testimony kind of return.

1430

The issue that the member needs to know is that although we began the year of 1993-94, the most recent year, with that backlog that the member talks about of 6,678 files and we received 3,880 new ones—which, again, was an increase over the previous year—we managed to complete and close close to 5,000 cases. Therefore, the total active case load at the end of 1993-94 was actually reduced. It's still too high, it's still over 6,000, and that is a real concern to us, but we made a decision that we wanted to put as many of the dollars that were allocated to the Criminal Injuries Compensation Board into compensation as possible.

The Speaker (Hon David Warner): Would the minister please conclude her response.

Hon Mrs Boyd: We did increase the amount of awards that were there by about \$2.7 million and we will continue to work at the backlog as we go along, changing our processes as quickly as we can to deal with the backlog.

Mr Chiarelli: The minister is a walking, talking oxymoron; she says one thing and the facts and her ministry say something totally different. The year-over-year figures show a 15% increase in the number of cases. These are people who have been injured through crime and who are suffering emotionally by these delays. The whole justice system is sinking into a swamp. When you look at the Human Rights Commission and the backlog in the courts and now look at the criminal compensation board, it's getting worse, as all the other areas are, year over year. Clearly, you have failed to do your job as the minister responsible.

Will you please tell those 6,678 victims of crime specifically what you are doing now to expedite their cases?

Hon Mrs Boyd: Mr Speaker, I'm not sure whether I ought to ask you to call the member to order for calling me an oxymoron. I'll leave that to your judgement.

I think that the member was not clear on what I said to him. I told him very clearly that we had reduced the number of total active cases at the end of 1993-94 by 6%, that indeed although our case load increased by 12% during 1993-94, we managed to handle 33% more cases than we did in the year before. We are succeeding in whittling down a very serious problem. It is a problem and no one is trying to claim that it isn't a problem to wait for compensation if you've been injured as a result of a criminal action by someone else.

The member needs to recognize, however, that we have the same problem in this area as we do in many other areas, of ensuring that the technological support is there. It was not there when we came into office and we

have made enormous strides in improving the technological support that the Criminal Injuries Compensation Board has. We have put a good deal of our resources into administrative streamlining and investigative streamlining. We have tried to streamline the process for the victims and witnesses so that fewer hearings need to be held with those individuals.

We are taking those actions. We are seeing an improvement. We expect to see a great deal more improvement. I would say that we are seeing constant reduction of support from the federal government in this area and yet we have increased our support by almost \$3 million to the Criminal Injuries Compensation Board.

The Speaker: Could the minister please conclude her response.

Hon Mrs Boyd: We believe we are doing the best that we can and we will continue to do so.

EMERGENCY SERVICES

Mr Jim Wilson (Simcoe West): My question is for the Minister of Health. Minister, as you should be well aware, 42 small rural hospitals are facing the withdrawal of physician services in their emergency rooms unless a solution is found to this growing crisis. In addition, 14 hospitals in this province have been forced to reduce emergency room coverage, which means that a total of 56 communities in this province are having or will soon have their access to critical emergency care reduced considerably.

Recently the small hospital section of the Ontario Hospital Association passed a motion demanding a resolution to this crisis within 60 days. Minister, the people of Ontario want to see some leadership on this vital and important life-and-death issue. What real guarantees can you give to these threatened communities that you'll be able to resolve this critical matter on or before July 31 of this year?

Hon Ruth Grier (Minister of Health): As I think I have made clear in the House on many occasions when this issue has been raised, it is an issue of long standing, it is an issue that cannot be resolved by action on any one person's part, whether it be the doctors themselves can't solve it, the hospitals themselves can't solve it, the minister can't solve it. It has to be as a result of discussions among all three who are partners in the provision of this service.

I'm delighted to be able to repeat to the House what I said last week, that the Ontario Medical Association, after having spent some time not being prepared to discuss an alternative payment mechanism that would resolve this issue, has, as of May 25, written to us indicating that it is prepared to enter formal negotiations with the Ministry of Health on this subject. The Ontario Hospital Association, as the member has pointed out, has also urged us to resolve it.

I remain committed to the fact that through those discussions we will resolve it and as quickly as possible.

Mr Jim Wilson: The minister will recall on many occasions over the past three years that you have promised patients, hospital administrators and the associations involved a solution and you've not come forward with

any solution on behalf of the government side. You've simply said that there are other partners involved and that you're unable to get to the bottom of this matter and to resolve it.

For the past eight months you've fallen back on the tripartite discussions that have produced nothing but talk and more finger-pointing, and we see more finger-pointing from you today. So I'm going to give you a way to reach a solution and some action that you can take as the government, and that is, would you agree today to appoint an independent arbitrator?

Since the tripartite discussions are on-off, they're going nowhere, would you agree to appoint an independent arbitrator, an arbitrator who's agreeable to the OHA, the OMA and the government, and have that arbitrator sit down and find a solution to this matter? Will you agree to that today, Minister, on behalf of the patients in this province who are not going to have the emergency care they need when they need it? They expect that from your government and from any government, frankly, that's in office in this province.

Hon Mrs Grier: I was interested when the member said he was going to give me a constructive solution. I would welcome that to what has been a difficult problem. But with all due respect to the member, I think the appointment of an arbitrator is not a solution.

In fact, the Ministry of Health has put forward a suggested solution. Our proposed solution is that the funds that now go to those physicians on a fee-for-service basis, which means that they are paid according to the number of patients whom they see, and so when only one or two patients a night are in an emergency room, it doesn't generate enough money to make it worth the doctor's while to be there—our suggestion and solution is that instead of paying doctors based on the volume of people whom they see, we revert to an alternative payment plan which enables them to be paid according to the time they are on duty, according to the volume of services over a year that they provide and that we use the OHIP funds that are currently going to those doctors and redistribute them in a way that makes it worth their while to see their patients both at 3 in the morning and at 3 in the afternoon, which I believe is their responsibility. We want to find a way to pay them in a way that enables them to continue to live up to those responsibilities.

WASTE DISPOSAL

Mr Jim Wiseman (Durham West): Under the category of "here we go again," my question is to the Minister of Environment and Energy. I have read with some horror articles in the paper, especially the one where the survey of the Ontario Waste Management Association was published. The reason I'm horrified is because they suggest there is no garbage crisis. I'm not horrified that there's no garbage crisis because we know that Metro will turn a garbage crisis on and off at its whim, but why I am horrified is that these private haulers can suggest that every landfill site in the province of Ontario become a potential site for Metro's garbage.

1440

My question to the minister is this: Does he believe

that the people of Hamilton, of Halton, of Flamborough, of Clarington or any other place, for that matter, will openly and gratefully be recipients of Metro's garbage? After all, what they are—

Mr Chris Stockwell (Etobicoke West): You are.

Mr Wiseman: We are? When you were sitting on Metro council, you apologists of Metro garbage coming to Pickering—

The Speaker (Hon David Warner): Order. Would the member for Durham West—

Interjections.

Mr Wiseman: —you did nothing. You hid behind papers. You did nothing.

The Speaker: Will the member please take his seat.

Interjections.

The Speaker: Would the member complete his question to the minister.

Mr Wiseman: I will do that, Mr Speaker, if the banshees across will just be quiet.

I would start again in the sense that what we're talking about—

The Speaker: I asked the member if he would complete his question.

Mr Wiseman: How can we be sure that the private sectors will be held accountable, especially when we know that in Pickering, Metro cannot be held accountable? Metro has violated their certificates of approval and have not shown a good custodial nature. I would like to know how we can expect the private haulers to do better when Metro is not even accountable.

Hon Bud Wildman (Minister of Environment and Energy): I know the member's interest in this matter and I must say that the announcement by the Ontario Waste Management Association was surprising and disappointing in that of the sites that it counted in its so-called survey, it's our understanding over 60% of that capacity haven't received any kind of approval.

It really would be rather risky and, frankly, absurd for us to just assume that all of these sites could be approved and available for greater Toronto area garbage. It just would be unacceptable. Specifically in regard to the member's question about other communities, I heard a quote yesterday on the radio by Mayor Don Granger of Flamborough in which he stated emphatically that his community does not want greater Toronto area waste and doesn't want to share the landfill the town uses with Metro either. There's no reason to believe that other communities would accept this waste, and it's quite an assumption, particularly when most of the sites that were counted in the so-called survey are not approved.

Mr Wiseman: It's rather difficult to explain in this place how difficult it is for the residents of Ajax and Pickering to be constantly under the threat of Metro's garbage. I often speak of the three Brocks: Brock north, Brock south and Brock west. What I'm concerned about now is that Metro continues to have grotesque garbage plans for the communities in my riding. As a matter of fact, I have come across information that reveals that Metro is currently negotiating for access rail lines in Ajax

at the Pickering-Ajax border. This is the document; this is the map.

Will the minister confirm for me once again that this government will not be relaxing the restrictions on interregional transportation of waste, and that the section of Bill 143 that offers the people of my riding assurances that Metro's garbage will not be coming to Durham or to Ajax and Pickering will be kept up?

Hon Mr Wildman: I can assure the member that Bill 143 remains the law, and it will remain the law as long as this government has a say in how we will deal with greater Toronto area garbage. It's important to recognize that this government is committed to ensuring that there are environmentally sound methods of dealing with landfill questions as close to the source of the waste as possible and in the greater Toronto area.

We believe that it is the responsibility of the areas close to where the waste is produced to deal with the waste, and we're also committed to ensuring the 3Rs will divert as much waste as possible from landfill.

GASOLINE PRICES

Mr Frank Miclash (Kenora): Before I ask my question, I'd just like to acknowledge the presence of the grade 8 students from St Josephs school in Dryden. I know they'll be interested in this question to the Minister of Consumer and Commercial Relations.

It has to do with the unacceptable price of gasoline in northern Ontario. This is an issue that must be dealt with immediately, because I have been receiving many calls and letters from a good number of constituents, especially in the Dryden-Kenora area.

Madam Minister, on January 30, 1991, your colleague the Minister of Northern Development and Mines was quoted in the Northern Life magazine as saying the following: "The provincial government is examining five or six options to regulate the price of gas in northern Ontario." That's "examining five or six options to regulate the price of gas in northern Ontario."

Minister, could you tell the House and, more importantly, the residents of Dryden why they are paying 20 cents—that's 20 cents per litre—more for gas than residents in southern Ontario? I must ask you, Minister, if you feel that 60.9 cents per litre for gas, which the residents of Dryden had to pay yesterday, is acceptable, and if not, what are you doing about it?

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): I'm very concerned about the matter which the member brought up, but I think it's better answered by the Minister of Environment and Energy.

Hon Bud Wildman (Minister of Environment and Energy): The member has put forward this issue very well, and as he knows, the government is concerned about the high cost of gasoline in northern Ontario.

We have moved to try to alleviate some of the burden by eliminating the vehicle registration fees for northern Ontario in order to try to offset the impact of higher gasoline prices. But as the member will know, the current market is such that where you have a smaller number of retail outlets with lower volumes of sales, the market

allows for higher prices. Unfortunately those of us in northern Ontario who drive longer distances and experience colder weather through most of the year end up paying a substantially higher amount for gasoline. That's why this government has attempted to alleviate the problems somewhat by forgiving the registration fees.

Mr Miclash: That's not what you said when you were in opposition when the issue of the price of gas was raised and you were asking for equalization. In fact, some of the campaign literature from the 1990 election stated very clearly that gas prices must be equalized across the province. Minister, you will recognize that quote as being one that was in the campaign literature of the Minister of Northern Development and Mines.

This is a commitment that your party had made and a commitment that all of you were elected on. Clearly you and your government are long overdue in living up to this promise to address these inequities in gas prices between northern and southern Ontario.

Mr Minister, the people whom I represent, in places like Dryden, Red Lake, Sioux Lookout, Kenora, Ear Falls and many other communities across northern Ontario, are demanding action from you and your government at this time.

Let me also refer to what your colleague the Minister of Transportation, yet another minister from the north, the minister representing Lake Nipigon, stated in the March 11, 1991, edition of the Sudbury Star:

"Above all, what I would like to see is the assurance that I, as a northerner, am being treated fairly in terms of gas prices. What I want as a consumer and for the people I represent is that I get a fair shake for my hard-earned dollar."

Mr Minister, do you feel that northerners are being treated fairly and getting a fair shake for their hard-earned dollars in terms of gas prices?

Hon Mr Wildman: In terms of the retail cost, I must say I have a great deal of sympathy with what the member is saying.

As a matter of fact, my ministry carried out a study of the effects of the lowering of crude oil prices on gasoline retail prices across the province. We found that the retail price for gasoline in southern Ontario declined far more quickly than it did in northern Ontario, and in some small communities in the north, it did not decline at all.

So that indication is that the prices are indeed higher and that my colleague, in wishing that the consumers in the north were treated more fairly, was expressing a concern that all of us have in northern Ontario. It's again for that reason that we've forgiven the registration fee.

PETITIONS

SEXUAL ORIENTATION

Mrs Elinor Caplan (Orléans): I'm tabling this petition on behalf of a constituent. It says:

"To the Legislative Assembly of Ontario:

"Whereas the proposed Bill 167 would grant same-sex couples the same status as heterosexual couples;

"Whereas we believe that a family with parents of opposite sex is in the best interests of the child;

"We the undersigned petition the Legislative Assembly of Ontario as follows:

"To reject the proposed Bill 167."

This is signed by constituents from Oriole riding.

1450 HEALTH INSURANCE

Mr David Tilson (Dufferin-Peel): I have a petition of 32 signatures from my riding of Dufferin-Peel. It's addressed to the Legislative Assembly of Ontario.

"Whereas the provincial government has slashed health coverage by 75% for Ontario citizens who are hospitalized out of the country; and

"Whereas this will mainly affect the seniors who travel south in the winter for health reasons; and

"Whereas this is an indisputable violation of sections 7 and 11 of the Canada Health Act; and

"Whereas Mike Harris of the Ontario Progressive Conservative Party makes preservation of medicare a priority in his Common Sense Revolution policy document;

"We, the undersigned, petition the government of Ontario to act in a fair manner by preserving the sacred principles of medicare and restore the out-of-country hospitalization coverage to the rates charged by hospitals in Ontario."

I have signed this petition.

SEXUAL ORIENTATION

Mr Peter North (Elgin): I have a petition here to the Legislative Assembly.

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas Canada was founded on Judaeo-Christian principles which recognize the importance of marriage and family;

"Whereas the redefinition of 'marital status' will extend to same-sex couples the rights and benefits of marriage;

"Whereas this redefinition will further increase the likelihood that children will learn to imitate homosexual practices;

"Whereas there is evidence that there will be negative financial, societal and medical implications and effects on the community with any increase in homosexual practices, the redefinition of 'spouse' and 'family status' and policies concerning adoption of children by homosexuals;

"We request that the House refrain from passing any legislation that would alter or redefine marital status."

It's signed by people from St Thomas, London, Middlesex, Oxford, Woodstock, Tillsonburg and other areas.

Mr Daniel Waters (Muskoka-Georgian Bay): I have a petition here from a number of people in my riding of Muskoka-Georgian Bay and also from a number of people in the riding of Parry Sound. The petition reads:

"Whereas the government of Ontario has seen fit to introduce legislation concerning same-sex spousal benefits, which is a matter of extending equal rights to a minority in our province;

"Be it resolved that we, the undersigned, support the

Equality Rights Statute Law Amendment Act, Bill 167."

Mr Jean Poirier (Prescott and Russell): I have four petitions consisting of 53 names against and 499 names for various aspects of same-sex legislation, and I've put my signature on these four petitions.

Mr Bill Murdoch (Grey-Owen Sound): I have a petition to the Legislative Assembly. It was signed by many people from Owen Sound and the Owen Sound area. It's to the Legislative Assembly of Ontario:

"Whereas in our opinion a majority of Ontarians believe that the privileges which society accords to married heterosexual couples could not be extended to same-sex relationships; and

"Whereas for our government to use our tax money to furnish contributions for the propagation of practices which we sincerely believe to be morally wrong would be a serious violation of our freedom of conscience; and

"Whereas redefining 'marital status' and/or 'spouse' by extending it to include gay and lesbian couples would give homosexual couples the same status as married couples, including the legal right to adopt children; and

"Whereas the term 'sexual orientation' is vague and undefined, leaving the door open to the demands for equal treatment by persons with deviant sexual orientations other than the practice of homosexuality;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We request that the Legislature not pass into law any act to amend the Human Rights Code with respect to sexual orientation or any similar legislation that would change the present marital status for couples in Ontario."

MOTORCYCLE AND SNOWMOBILE INSURANCE

Ms Jenny Carter (Peterborough): I have a petition to the Legislative Assembly of Ontario.

"Whereas we, the undersigned, are of the opinion that private insurance companies are exploiting Ontario motorcyclists and snowmobile operators by charging excessive rates for coverage or by outright refusing to provide coverage;

"Whereas we, the undersigned, understand that those insurance companies that do specialize in motorcycle insurance will only insure riders with four or more years of riding experience and are outright refusing to ensure riders who drive certain models of supersport bikes; and

"Whereas we, the undersigned, believe the situation will cost hundreds of jobs at dealerships and in the motorcycle industry and is contrary to the rights of motorcyclists and snowmobile operators;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario should study the feasibility of launching public motorcycle and snowmobile insurance."

There are about 34 signatures, mostly from my riding.

TOBACCO PACKAGING

Mr Hugh O'Neill (Quinte): I have a combined petition here from the Council for a Tobacco-Free Hastings and Prince Edward, located in the city of

Belleville, and the Lung Association of the Hastings-Prince Edward region, in support of plain packaging of tobacco products. It reads:

"To the Legislative Assembly of Ontario:

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains the provision that the government of Ontario reserves the right to regulate the labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces rather than act on its own to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national plain packaging strategy the most efficient method of protecting the Canadian public,

"Therefore we, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

SEXUAL ORIENTATION

Mr Norman W. Sterling (Carleton): I have a petition dealing with Bill 167, dealing with rights extended to same-sex relationships. The people who have signed it believe such relationships are morally wrong and they are concerned about the legal right to adopt. They also ask us not to pass this legislation because they do not believe it to be correct. I have signed my name to this petition.

Mr Bob Hugert (Sarnia): I have a number of petitions to the Legislative Assembly of Ontario. The petitions are signed by 1,335 constituents of my riding of Sarnia and the neighbouring riding of Lambton county. The petitioners oppose amendments to the Human Rights Code that are contained in Bill 167, the Equality Rights Statute Law Amendment Act, 1994.

I do not support these petitions, but to comply with our standing orders I have affixed my name to the petitions.

SPECIAL SERVICES AT HOME PROGRAM

Mrs Yvonne O'Neill (Ottawa-Rideau): "To the Legislative Assembly of Ontario:

"In the International Year of the Family, we, the undersigned, call upon the Minister of Community and Social Services to support and strengthen families in Ontario by significantly increasing the funding allocation to the special services at home program.

"This most cost-effective program provides essential supports to children and adults with disabilities so that

they can remain with their families in their communities."

This petition is signed by over 1,600 people, and I too have affixed my signature.

SEXUAL ORIENTATION

Mr Chris Hodgson (Victoria-Haliburton): I have a petition signed by over 150 people from my riding.

"To the Legislative Assembly of Ontario:

"Whereas in our opinion a majority of Ontarians believe that the privileges which society accords to heterosexual couples should not be extended to same-sex relationships; and

"Whereas for our government to use our tax money to furnish contributions for the propagation of practices which we sincerely believe to be morally wrong would be a serious violation of our freedom of conscience; and

"Whereas redefining 'marital status' and/or 'spouse' by extending it to include gay and lesbian couples would give homosexual couples the same status as married couples, including the legal right to adopt children; and

"Whereas the term 'sexual orientation' is vague and undefined, leaving the door open to the demands of equal treatment by persons with deviant sexual orientations other than the practice of homosexuality,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We request that the Legislature not pass into law any act to amend the Human Rights Code with respect to sexual orientation or any similar legislation that would change the present marital status for couples in Ontario."

1500

TOBACCO PACKAGING

Mrs Karen Haslam (Perth): This is a petition to the Legislative Assembly of Ontario in support of plain packaging of tobacco products:

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains the provision that the government of Ontario reserves the right to regulate the labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces, rather than act on its own, to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national plain packaging strategy the most efficient method of protecting the Canadian public;

"Therefore we, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with

and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

I've affixed my signature to this petition.

SEXUAL ORIENTATION

Mr John C. Cleary (Cornwall): I have a petition to the Legislative Assembly of Ontario.

"Whereas we, as God-fearing people, are opposed to the victimization of persons on the grounds of sexual orientation; and

"Whereas we, however, believe that attempts to establish and/or promote homosexual relationships as viable alternatives to heterosexual-based family do not conform to God's will for society; and

"Whereas Canadian law as established by the Ontario Court of Appeal prohibits discrimination on the basis of sexual orientation;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to enact legislation to prohibit homosexual persons from adopting or raising children."

I signed the petition also.

Mr Robert W. Runciman (Leeds-Grenville): I have two petitions but they're the same wording. One's from Jay's Barber Shop in Brockville, the other's from St Francis Xavier Church in Brockville. There were several hundred names, over 500 names compiled over the weekend.

"Whereas the Ontario NDP government has introduced Bill 167 granting significant benefits to same-sex couples, including the right to adoption;

"Whereas Bill 167 has passed first reading in the Legislature with support of NDP and Liberal members;

"Whereas we are strongly opposed to this initiative and believe it is an inappropriate measure designed to undermine the traditional family;

"We, the undersigned, petition the Parliament of Ontario as follows:

"Please convey the wishes and feelings of the overwhelming majority of Ontarians: Do not give in to special interests, defeat Bill 167."

I'm signing my name in support.

FIREARMS SAFETY

Ms Jenny Carter (Peterborough): I have a petition to the Legislative Assembly of Ontario from the Ontario Federation of Anglers and Hunters, which petitions the Legislative Assembly as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

This petition has about 420 signatures.

HEALTH INSURANCE

Mrs Barbara Sullivan (Halton Centre): I have a petition that's signed by several hundred people, ranging in age from 18 to 80, who adamantly want to express their views to the Legislative Assembly of Ontario. The petition reads as follows:

"Whereas the Ontario government has announced its

intention to reduce emergency coverage for out-of-country health care on June 30, 1994;

"Whereas the citizens of Ontario are entitled to health coverage, no matter where they are, with payment made on the basis of the amount that would be paid for a similar service in the province;

"Whereas the Canada Health Act entitles all Canadians to health care on an equal basis;

"Whereas this decision by the Minister of Health is in direct contravention of the Canada Health Act;

"We, the undersigned, petition the Legislature of Ontario to ensure the Minister of Health follow the provisions of the Canada Health Act and prevent further erosion of our health care system in Ontario."

I heartily concur with this petition and have affixed my signature to it.

SEXUAL ORIENTATION

Mr Gary Carr (Oakville South): "Whereas Bill 167 will change the definition of 'marriage' and allow homosexual couples to adopt children; and

"Whereas it does not reflect the mainstream priorities of the people of Ontario or the priorities that the Ontario government should be dealing with; and

"Whereas this bill passed first reading with NDP and Liberal support; and

"Whereas Lyn McLeod has stated a future Liberal government will move to enact this legislation; and

"Whereas this bill would recognize homosexual couples and extend to them the same rights as heterosexual couples; and

"Whereas this bill caters solely to the demands of local special-interest groups; and

"Whereas redefining 'marriage' and forcing the private sector to pay same-sex spousal benefits will have serious negative economic and social ramifications,

"We, the undersigned, petition the Ontario Legislature to withdraw the same-sex bill and encourage all MPPs to vote against the bill on second and third readings."

I've affixed my signature to that as well.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Ms Haeck from the standing committee on regulations and private bills presented the committee's report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr106, An Act respecting the County of Victoria

Bill Pr111, An Act to revive Oaktown Property Management Limited

Bill Pr112, An Act respecting the Town of Picton.

Your committee begs to report the following bill as amended:

Bill Pr98, An Act respecting the City of Ottawa.

Your committee recommends that the following bill be not reported:

Bill Pr97, An Act respecting the City of Ottawa.

Your committee further recommends that the following bill be not reported, it having been withdrawn at the request of the applicant:

Bill Pr62, An Act respecting the City of Stoney Creek.

The Deputy Speaker (Mr Gilles E. Morin): Shall the report be received and adopted? Agreed.

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr McLean from the standing committee on government agencies presented the committee's 22nd report and moved its adoption.

The Deputy Speaker (Mr Gilles E. Morin): Do you wish to make a brief statement, Mr McLean? No.

Pursuant to standing order 106(g)11, the report is deemed to be adopted by the House.

ORDERS OF THE DAY TIME ALLOCATION

Mr Mackenzie moved government notice of motion number 30:

That, pursuant to standing order 46 and notwithstanding any other standing order of the House relating to Bill 91, An Act respecting Labour Relations in the Agriculture Industry, when Bill 91 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment.

That one hour be allotted to consideration of the bill in committee of the whole House. At the end of that time, those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the committee of the whole House shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto and report the bill to the House. Any divisions required shall be deferred until all remaining questions have been put, the members called in once and all deferred divisions taken in succession. All amendments proposed to the bill shall be filed with the Clerk of the assembly by 3:30 pm on the sessional day on which the bill is considered in committee of the whole House.

That upon receiving the report of the committee of the whole House, the Speaker shall put the question for adoption of the report forthwith, which question shall be decided without debate or amendment.

That one hour be allotted to the third reading stage of the bill. At the end of that time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment.

That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes and no deferral of any division pursuant to standing order 28(g) shall be permitted.

The Deputy Speaker (Mr Gilles E. Morin): Are there any members who wish to participate in this debate?

Hon Bob Mackenzie (Minister of Labour): I understand that there is an agreement that there will be a

two- or three-minute opening statement and a 10-minute windup for our party, and the remaining time will be divided between the two opposition parties.

1510

It is time to move ahead with this legislation, based on the consensus of farm and labour groups we have built over a lengthy period of debate and consultations. This bill has been considered in this House for almost a year, giving every member ample time to debate all the issues involved.

Let me remind the honourable members of the extensive public consultation process we have followed. I established a task force in January 1992, with representatives from labour unions, agricultural employers and farm workers. In the fall of 1992, that task force submitted a consensus report recommending a separate act to provide for collective bargaining in the agricultural sector. The recommendations included a number of provisions to take account of the unique characteristics of this industry. Bill 91 was drafted to reflect these recommendations.

In January 1994, I established an advisory committee to provide advice on labour relations in the agricultural sector. Labour unions in the agricultural industry were equally represented. This committee submitted a consensus report in April, recommending a series of amendments to Bill 91. In May, this government released draft amendments incorporating all of these recommendations.

The members of the advisory committee have reviewed these amendments and have advised me that Bill 91, amended in this way, would meet all the concerns raised in the consultation process. I would remind my colleagues that on the agricultural side in particular, the members of the committee have a mandate to speak for the Labour Issues Coordinating Committee, which represents the majority of agricultural organizations in Ontario. No one can say this bill has not been fully debated both inside and outside the House.

It is time to bring Ontario in line with the majority of provinces in this country by extending the rights to organize to farm workers which exist in the other provinces.

The Deputy Speaker: Are there any questions? Are there any comments? If not, further debate?

Mrs Joan M. Fawcett (Northumberland): Once again, Bob Rae's NDP government is moving a time allocation motion, just as they have done on numerous occasions, just as they did last June. Ever since the Bob Rae NDP government changed the rules that govern this House back in June 1992, the NDP has been quick to use them whenever a controversial bill comes forward and it wants to shut the public out from participating.

Certainly, along with my colleagues, I voted against these rule changes, as did, as I said, all of my colleagues in the Liberal caucus, for we knew that the NDP government would use them to shut out the public and any further debate in the Legislature. I am sure that by now all the members of the Progressive Conservative Party, who voted for these changes in rules and who supported the NDP government in its efforts to shut out the public, can realize the big mistake they made.

Perhaps, though, when it comes to a time allocation motion that deals with a major bill in the agrifood industry—well, they don't care, for we all know that the word "agriculture" was not even used in the Progressive Conservative Party's platform, that Common Sense Revolution. In fact, a closer scrutiny of the Progressive Conservative document would indicate that they intend to cut agriculture by about 40%.

But this particular motion is the most draconian of all. The NDP government is trying to sneak this agricultural labour bill through, a bill that will have significant impact on the family farm and rural communities when the farmers are out there cultivating their fields, trying to eke out a living.

Interjections.

Mr Bill Murdoch (Grey-Owen Sound): You guys are about farming. They don't like it being rammed down their throats either.

Mrs Fawcett: To hear the members opposite talk, the government members, you would think we had been debating this bill every day for a year, and that's not true. You know that. How many actual days of debate have there been on Bill 91? Not 365 days, as you would say.

Mr Murdoch: Let's ram something down some labour throats.

Interjection.

The Deputy Speaker: If you want to interject, I suggest you do so from your chair. The member for Grey-Owen Sound, I would also ask you to remain quiet.

Mrs Fawcett: This just further displays the NDP's lack of knowledge or understanding of the agrifood industry. If they truly understood agriculture, they would get rid of this bill and restore the agricultural exemption under the Ontario Labour Relations Act. They would know that farmers have to plant when the sun is shining because of the seasonality of the industry. They have to harvest when the crop is ready. They can't wait or even stand any kind of slowdown. They cannot keep regular, ordinary hours that possibly industry plants can keep, one of the very reasons—all of these are reasons—that we in the Liberal Party oppose this bill.

How can the NDP justify bringing in a major piece of legislation that will dramatically affect labour relations in the agriculture community and not even give farmers the chance to voice their concerns at public hearings? Bob Rae's NDP government has put such severe limitations on this bill that there will be no—that's right—no public hearings on this bill. I would have thought that this government, which purports to be an icon of public consultation and consensus-building, would at the very least send this bill to the standing committee on resources development for, at the very least, two weeks of hearings.

Right now, I don't see that the resources committee has a bill coming before it. We certainly have the time to have the public come in so that this government could listen to all the farmers who would be available to come in and give us their views. I know there currently is no government business on this committee's agenda. All the government has to do is really look at the agenda and see that the time is there to do it.

If the government wanted to push this bill through before the House rises, we would have time to hear the farmers' views on Bill 91 at committee. We could actually go out and hear what the farmers had to say about this bill, much as my leader, Lyn McLeod, did, and my colleague and co-critic and I continue to do.

Under these rules the farmers will not be heard. Now, instead of the House leaders mutually agreeing on how long a bill will be debated, the Minister of Labour comes in and says: "Shut off the debate. No public hearings. Just push this through as fast as you can. I don't want to take any more heat from the farmers before we go to the polls."

I would suggest that you have taken a great deal of heat already from the farm community. Ever since the Liberal Party brought this issue to the forefront, when we used the first opposition day to debate this bill, the NDP government has invoked the wrath of rural communities.

Yes, the Liberal Party was the leader in this agricultural debate and we continue to be the only viable alternative for the agricultural community. We have no apologies for our 52% increase in funding over the five years we were in government. Surely you must be ashamed of the NDP's \$100-million cut to the agricultural budget in the three years. Of course, the Tories are going to practically eliminate the ministry with their reductions.

1520

Even when Bob Rae's government brought in Bill 42, the stable funding bill, there were at least some public hearings, and with almost every other bill that has been time-allocated, we have had public hearings. The NDP government has left the agricultural community without an exemption for almost two years and now won't even give two weeks of public hearings to this major agricultural bill.

What are you afraid of? What are you afraid you're going to hear? If you think you will avoid the farmers' wrath by doing this, you're wrong, you're absolutely wrong. Rural communities right across this province will vote with a resounding no to Bob Rae and his NDP government when we go to the polls. Rural members of the NDP caucus had better enjoy their last few days here, for none of them will be returned, not one. You can't shove this type of legislation down farmers' throats and expect them to support it, especially when you won't even give them a chance to comment on it at public hearings.

We in the Legislature have had an opportunity to debate this major piece of legislation that has significant ramifications for the agricultural community. The debate that we have had has allowed the public at large, and certainly those involved in the agrifood industry, an opportunity to canvass this issue, to become better informed of the numerous restrictions and ramifications this bill will impose on them. Now that farmers have had that opportunity to hear, they want a chance for their say on this issue. They want to tell the NDP government that the family farm does not need to be unionized. They want to tell you that not one of them supports this bill.

You've had your say. I've had mine. Now why can't you let the farmers have their say?

Every time the Minister of Labour is asked about Bill 91, he tries to confuse the issue by saying it's had wide consultation. He always refers to these two reports: the Task Force on Agricultural Labour Relations. It was June 1992 when the first report came out, and then in November 1992 there was another report. But he doesn't seem to have listened to any of those. I can't understand why he would keep referring to this wide consultation. I wonder if he even read it. Did he even read the reports? Did he really listen? He keeps saying there were farmers on the task force. Obviously he completely ignored them, because I know that when the bill came forward, everybody wondered, "Just where did all this come from?"

I don't know whether the minister would ever get a chance to pick up any of the farm and country newspapers, but it's rather interesting, and I would like to quote from an editorial in *Farm and Country* by John Mugeridge:

"Despite two carefully worded task force reports, when Bill 91 was introduced for the first reading, the farmers on the committee hardly recognized it."

What does that say? Obviously, nobody paid attention in the Ministry of Labour.

"The no-strike provision was there, but not enforced. The bill was merely an appendage to the Labour Relations Act. Absent was any definition of 'agriculture' or provision for an agricultural labour relations board. Family members were exempt, but 'family' refers only to the immediate family, with a minimum 50% share in the business.

"When the farmers went public with their concerns about the flawed Bill 91, top agricultural ministry bureaucrats reportedly blew a collective fuse. Labour minister Bob Mackenzie was 'somewhat surprised.' Agriculture minister Elmer Buchanan said, 'Things seems to be getting stirred up unnecessarily.' In any event, with Bill 91, there was obviously a slip 'twixt the cup and the lip.

"Let's hope everyone got the message. With the mood farm employers are in, if some of our political leaders were up for re-election today, Australia would be too close."

This is what the farmers really felt about Bill 91. To me, it says it all here, that the Labour minister was "somewhat surprised." Even in the questions that were asked of the minister today, he admits that he doesn't know very much about agriculture, that he has to count on people in the field who do know about it to at least try to explain what the problems are with this Bill 91.

Yet when they do, he doesn't pay any attention, he doesn't care, which only says to me that his agenda is all-important, that his labour agenda is the only thing that's on his mind. He doesn't know and he doesn't realize that farmers treat their workers absolutely with care and really with—

Mr John C. Cleary (Cornwall): On a point of order, Mr Speaker: It's a pretty important issue and I think we should have a quorum in this House.

The Deputy Speaker: Would you please check if there is a quorum.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Deputy Speaker: The member for Northumberland.

Mrs Fawcett: This is a very important debate. This is a debate on a closure motion, really, on restricting debate in this House, on restricting the opportunity for the public to have their say on a very important piece of legislation that will affect the family farm and farmers right across this province, and the government members know very well that it is up to them to keep the quorum in this House. It is up to them to pay attention.

I, of course, have always felt that the present government does not understand the farming community, and in many instances it doesn't seem to really care what happens. They know that the farmers—

Mr Bob Hugert (Sarnia): We've done more for agriculture in six months than you did in five years.

The Deputy Speaker: Order.

Mr Hugert: Why don't you go out there for a while? These are programs we put in because you didn't have the courage or the brains to put them in.

The Deputy Speaker: I'm asking you to come to order, and if you don't, I'll use the means to bring you to order.

1530

Mrs Fawcett: I really seem to be pushing a few buttons over there that make them feel a little sad that over the last three years of this government \$100 million has been cut from the Agriculture ministry. That's how much they care about agriculture.

The really good programs we started, like the Ontario Farm-Start program, like land stewardship, a lot of the good farm programs that addressed and helped farmers to get along were axed because this government cannot balance its budget. They are so concerned with the deficit that it would seem that even the farmers are going to have to carry the burden on their backs.

But getting back to this minister and his intent to bring in labour legislation for the farm community, he purports that he has all these wonderful amendments he's going to bring forward, and we're supposed to take this giant leap of faith and say once again, "If we say yes to this second reading debate, they're going to bring in all these wonderful amendments and everything is going to be happy out there."

Minister, I can tell you, amendments or not, the farmers out there don't want your bill. There is not one of them I have spoken to or that my colleague from Cornwall has spoken to who wants this bill. Farmers keep asking me: "Who brought this piece of legislation forward and why? Who asked for it?" I guess one name that comes to mind is Gord Wilson, and another one that comes to mind is Bob Mackenzie, because certainly the

farm community out there doesn't see any need for this.

As I was saying before, when we decided that possibly there wasn't a quorum in the House, the farmers must have good workers because their livelihood depends on it. They don't treat their workers shabbily. They have to treat their workers fairly; otherwise they don't get the job done. I really take exception when the minister thinks he has to bring in legislation like Bill 91 so that he can look good in the labour community and it doesn't matter about the farm community.

I will say in no uncertain terms that our party is against Bill 91. We are against this kind of closure motion, this kind of action to cut off debate, to cut off any kind of public consultation, all aimed at satisfying his ego.

In closing, I would say it's really hard to realize why we are all of a sudden debating this issue even today. Where did it come from even to be brought in today? Why the rush? Why can't we at least prolong it and have some public consultation? Why all of a sudden does everything have to be done in such a short period of time?

The Liberals have said right along: Get rid of this bill. We don't need it. Restore the agricultural exemption under the Ontario Labour Relations Act and agriculture can be allowed to go on the way it has for all of these years and do very well.

The minister has not, in answering any questions that have been asked of him in the House on this bill, ever given a straight answer, ever given an answer to the question. The only thing he can get up and say is, "Oh, after consultation, we've listened to the people."

Well, if this is the way you listen, that when people give you reports you don't even follow them at all, and then they have to bring in 11 recommendations for you to address once again, and now we're expected to take the leap of faith that you really will do that, I say no, I don't trust you. I don't trust you and I don't trust your government to do these things.

I say the only thing you could do would be to withdraw this bill and put the agricultural exemption back into the Ontario Labour Relations Act.

The Deputy Speaker: Questions or comments?

Mr David Tilson (Dufferin-Peel): Just a comment to the member's remarks with respect to the Progressive Conservative Party on the Common Sense Revolution. She seems to take great delight periodically on this issue in attacking our party in terms of lack of interest with respect to agriculture. Our party has always put great importance on agriculture, and she knows that.

If she reads the Common Sense Revolution, which I doubt very much that she has, I'd refer her to page 19 of the document which refers specifically to the amount of cuts we will be putting. We say we would put \$5.53 billion in cuts, specific proposals, on the table. That is all documented in the Common Sense Revolution—which she has not read, obviously—and agriculture is not part of those calculations.

I invite her to read this document. The Progressive Conservative Party continues to support agriculture. In

fact, I question whether the Liberal Party does.

Mr Chris Stockwell (Etobicoke West): To reinforce the point that was just made, I do not object to members opposite or members in the Liberal Party speaking to issues of the agricultural community and the Conservative Party's position on those with respect to the Common Sense Revolution.

But to be fair, in the Common Sense Revolution we have outlined a significant number of reductions, a significant number of cuts. We've taken a lot of heat from groups that are being reduced on the amounts of money we're asking for from within each sector. We're talking about 13,000 public servants, we're talking about social welfare cost reductions and so on. But the good point I'd like to make about this document is that we talk about the more than \$5 billion in cuts we're going to make and then we itemize those cuts specifically within the document. If the member were truly being fair, she'd realize that and would say that agriculture is one sector that was not cut.

You can say there are many that were cut, and I accept those challenges from the members opposite and the Liberal Party; there are many cuts in here, many direct, actual, documented reductions. But to start charging us and this document with further cuts that are not mentioned over and above the \$5.3 billion is not being fair or reasonable when someone puts out a document that itemizes cuts.

If the member believes a 40% reduction in cuts in the agricultural community is included in this document, I ask her directly to point to them. Tell us where that 40% is, and tell us, of the \$5.3 billion we're calling for in reductions, exactly one dollar we've called for in agriculture cuts. If she cannot do that, I ask her to withdraw that comment.

1540

Mr Paul Klopp (Huron): I've listened to some of the debate. I've been busy with agricultural stuff, but I've enjoyed the debate.

Today we're talking about Bill 91, a labour bill. The Liberals are making statements that the Tories are making cuts. All I can go by is what I see on TV, and this certain Mike somebody says, "We're cutting everything except health," and I think that is true. I guess he's picking up numbers. The fact is, that needs to be stated.

The issue around the labour bill has been that we as a government, the Minister of Labour, talked to farmers, consulted with farmers, set up a committee. That committee, along with union representatives, sat down and talked as frankly as farmers—if anyone knows anything about farmers—will. Over the last year and a half the minister kept his word. The Premier was asked at the annual meeting when the farmers get together with the Premier to talk about issues, and it clearly came out, "Are you going to really follow what that group's going to do?" and the Premier said yes.

I can understand why the farmers have been concerned over the years. I lobbied very hard as a federation member and as a Huron county federation person, and yes, I understood that Liberal and Tory governments

would say one thing and then later on it was, "We had to make changes; you just have to trust us." I understood that and that's what we told the minister. We told the Premier and Elmer Buchanan, who understood it, and many caucus members understood it.

After long and open debate, the farm community came to a consensus. That is what this is all about, and I'm proud of the work that's been done by the minister.

Mr Allan K. McLean (Simcoe East): I want to comment briefly on the remarks of the previous member with regard to the revolution that's on in Ontario. I heard very clearly the comments she made, at one time that 40% cuts were taking place, and then she said they were cutting the whole ministry out. Well, as my colleagues have said, I would like you to show us that in the document. My leader has said very clearly that there will be no cuts in agriculture. I don't know how much clearer you can get than that.

Yes, we have read the NDP Agenda for People that was put out on March 19, 1990. The member was talking about the two previous administrations. I think he should reaffirm his position with regard to agriculture in the Agenda for People and show us what you have done.

I say to the member for Northumberland, with regard to the comments on Bill 91, that she is so right in many issues she talks about: Who, and what farmer, has agreed that this bill is right? What farmer?

You would not name one today who agrees. The parliamentary assistant has said there are so many people who agree; that they have travelled the province and have gone across this province. The parliamentary assistant is a farmer himself, and I guess he's about the only one who would probably want to agree with it.

Mr Klopp: On a point of order, Mr Speaker.

Mr McLean: You see, he's now got the message, and he's gotten a little upset.

The Deputy Speaker: Your point of order, the member for Huron.

Mr Klopp: Mr Speaker, he said he doesn't know of any farmers who agree with this bill. I'm a farmer and I agree with this bill.

Mr McLean: That's why we're having problems in this Legislature with this government: They just don't listen and they never did listen to the people on this bill.

The Deputy Speaker: The member for Northumberland, you have two minutes to reply.

Mrs Fawcett: With the Common Sense Revolution, basic math would indicate—they're not going to touch health, they're not going to touch education, they're not going to touch justice, and that takes up about 65% of the provincial budget, so that means the \$5.3 billion in cuts must come from all of the other ministries. I did not hear agriculture mentioned.

Mr Tilson: Read the document. The document is very specific about what the cuts are.

Mrs Fawcett: Well, yes, I guess if you read between the lines, but I don't.

Mr Stockwell: You don't read it. Admit it.

The Deputy Speaker: Order. The member for

Dufferin-Peel, the member for Etobicoke West, you both had your chance.

Mr Cleary: On a point of order, Mr Speaker: I think we should have a quorum.

The Deputy Speaker: Would you please check if there is a quorum.

Clerk Assistant and Clerk of Committees: A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Deputy Speaker: The member for Northumberland.

Mrs Fawcett: To the member for Huron, I wonder how he has the nerve to stand up and say he is a farmer and that he is in favour of this legislation which farmers right across this province are not in favour of. They don't need it, they don't want it. They keep asking, "Who wants it?" If the member for Huron is the only farmer in Ontario who wants it, I don't think that's sufficient enough reason to put forward the legislation.

Mr Tilson: The subject today, of course, is the closure motion with respect to Bill 91, which I must say the members of the Progressive Conservative Party find rather strange. We've had two speakers debate in this House, and to restrict us in this party to one hour for committee of the whole, at which time you're going to put forth I don't know how many pages of amendments, which I don't know whether we've seen yet, and one hour with respect to third reading, is incomprehensible.

The government, particularly the Minister of Labour, has indicated that he's not afraid to discuss this further, that he has consulted. I can tell you he hasn't consulted, because there are many farmers, certainly in my riding of Dufferin-Peel, who don't understand what you're doing. They don't understand the purpose.

At least one member in the NDP caucus has told us he's a farmer and that he's in favour of the legislation. I suspect he's been told to say he's in favour of the legislation.

Mr Klopp: On a point of order, Mr Speaker: The honourable member should know that when it comes to the agricultural issues, I am not told to do anything. We discuss things and we communicate and we make decisions—

The Deputy Speaker: It's not a point of order.

Mr Tilson: I guess we're getting back to the question as to why this motion is being put forward. Our leader—
Interjection.

Mr Stockwell: The guy comes to our bench and heckles.

Mr Tilson: I'm getting heckled from about five feet away, for heaven's sake.

The Deputy Speaker: The member for Dufferin-Peel, address the Chair, please.

Mr Tilson: Mr Speaker, I'm being heckled by a member five feet away. I'd like at least the courtesy of the space between myself and the government.

Our leader of the Progressive Conservative Party raised a very good question today, which the Minister of Labour simply did not answer: to name one farmer, other than someone in his caucus, who supports this legislation. I don't think there are any.

I know he's had discussions with people in the OFA, for example. The OFA, no question, did have some part in the drafting of the legislation, because otherwise—

Interjection.

Mr Tilson: I'm simply telling you what members of the OFA have told me. We were told that your government, Mr Minister, would simply pass an order in council that would add agricultural workers under Bill 40. That was the threat given to the members of the Ontario Federation of Agriculture and that's why they had to do what you told them to do. In other words, you put a gun to their heads.

Here we are, on this day, debating a closure motion that's going to allow only two more hours of debate, and part of that two hours is going to be seeing amendments that we have no time to debate. We're not even going to go to committee.

This province of Ontario has been based on agriculture in the past, and it still plays an important role in our life around this province. The farmers want to discuss it. The farmers want the right to come to public hearings around this province and debate and express their concerns about what you're doing to agriculture in this province and specifically with respect to this bill.

They don't want it. I have not heard one individual in my riding of Dufferin-Peel, either in the town of Caledon or the county of Dufferin, indicate that they support this bill. In fact, quite the contrary: They all oppose it.

1550

So the process of this has simply been that there's been a threat put by the government that if the Ontario Federation of Agriculture didn't participate in this bill, the NDP would simply pass an order in council that would add agricultural workers to Bill 40.

We in the Progressive Conservative Party have promised to repeal Bill 40 when you people are thrown out of office, which I hope will be very soon. I can tell you that we have promised to repeal this bill. It adds nothing to the progress of agriculture in this province.

The farming organizations in Ontario have simply told us, Mr Minister, that Bill 91 doesn't live up to their agreement with the government. You know that. They are most concerned and want the right to have public hearings to appear before a committee of this Legislature to express their concerns. You, with this motion, are simply not going to give that to them.

I guess initially I intend to spend part of my time expressing our concerns with Bill 91. I can tell you that we would like more time and it appears that we're not going to get that time. When I say "we," the members of the opposition and the people in the agricultural community simply are not going to have that right, and that is regrettable, but seems to become more and more common with the practice of the New Democratic Party as to how they intend to govern in this province. Almost every

piece of legislation that they put in this place is passed under closure. They simply shut down debate and they don't allow the people of this province to come forward and put forward their views.

Bill 91 allows the Ontario farm to essentially become a union shop. That is no question. I understand that there are four unions, including the United Food and Commercial Workers International Union, that are already salivating at organizing unions in the farm community around this province. I can tell you that that is of concern to many of the farm organizations and many of the small farmers, the small people who are trying to stay alive in this province, and specifically in the agricultural community. They simply don't like what you're doing and it's just another nail in your coffin and you'll never surface ever again.

Ontario farm employers, Mr Minister, as I'm sure you're aware, spent approximately \$668 million last year on labour, some unskilled and some requiring skill to operate everything from automated greenhouses to dairy barns and combines. So it still plays a very active part in the economy of this province, and yet looking at what you have done in your budgets—and I don't mean you, Mr Minister, but I certainly refer to the Treasurer, your government—it doesn't show your support of the agricultural community.

There were two task force reports, and my understanding, from speaking to people who were on the task force, is that when Bill 91 was introduced for first reading, the farmers on the task force hardly could believe what was being put forward. It wasn't in the agreement. That's what they're saying to us, that what you said you would do and what you have done are not the same thing. So I can tell you, your coming to this place and suggesting that the farm organizations support what you're doing is simply not what the farm organizations are repeating.

The no-strike provision certainly was there, but was not enforced. The bill is, from submissions that have been made to me by members of the farm organizations, merely an appendage to the Labour Relations Act. I wonder, what in the world are you, the Minister of Labour, doing standing up and telling farmers what to do in this province? What do you know?

You may tell me you're a gentleman farmer, but I'm telling you, your expertise supposedly, and hearing your history and your biography in the past—you have had a great deal of experience in the labour movement, no doubt about that, and many people congratulate you for that, but you have had absolutely no experience in the agricultural community, and you have no business, as Minister of Labour, coming forth and passing this type of legislation and imposing it on the agricultural community of this province. At the very least, it should be something that should be being presented by the Minister of Agriculture. I don't know; he hasn't said very much on this. It's all you, as the Minister of Labour.

It's all very strange as to how this comes about. Is it really the suggestions that are being made, that it's the union leaders who have come to you and manipulated this whole process for the whole idea of increasing unionism in this province? Farm agricultural people say,

"My goodness, now they're going to unionize the family farm." How far will you go? Are you going to unionize everything? I hope not.

"Absent from the bill was any definition of 'agriculture' or provision for an agricultural labour relations board. Family members were exempt, but 'family' only refers to the immediate family, with a minimum 50% share in the business."

I haven't seen your amendments. I don't know whether you're going to deal with these types of things, but that's a concern that has been put forward by the agricultural community and simply has not been expressed.

The farmers in this province have had a difficult time, going back many years. It's becoming more and more difficult to compete in the international market, yet they are now—just flipping through this bill and looking at the regulations and red tape that the farmer is now going to have to put through, why would you do this? Why would you do this at this particular time, when the farmer is having a difficult time simply staying alive?

I look at everything you do with respect to agriculture. When I say "you," I mean the government. In the last budget, the Finance minister didn't mention the agricultural economy in his budget speech, notwithstanding, of course, that Bill 91 was first read last year, on July 29, 1993. This seems to be the saving grace of the farmer, Bill 91. This is what's going to save the agricultural community. Yet in the last budget of the Finance minister, the agricultural economy wasn't mentioned once in his budget speech.

The budget reveals that in the Ministry of Agriculture, Food and Rural Affairs—which is an interesting twist, to make the name so long we get tired saying it—its operating budget will be reduced; will be reduced, Mr Minister. I know you don't know anything about this, because you're the Minister of Labour. You don't know anything about agriculture. But I'm going to tell you what the farmers are saying. The budget is reduced by 6% to \$487 million before the ministry is required to absorb its share of the \$400 million in expenditure savings and restraints.

When you look at the Agenda for People, or power, whatever it was called, as to what you say in your Agenda for People, if I can find it, it talks about—

Mr Gary Wilson (Kingston and The Islands): You've got it memorized, have you, David?

Mr Tilson: No, I haven't got it memorized. I'm trying to forget it. It's such a bad dream. In fact, your whole government is a bad dream, and everything that you've done, and Bill 91 is a prime example.

On page 3 of the Agenda for People of the New Democratic Party, on August 19, 1990, they talked about how:

"Sky-high interest rates are hurting farmers. Each 1% increase in interest rates adds \$9 million in interest charges to Ontario farmers' costs."

But what have you done to help that? Is Bill 91 going to help it, with all the red tape and all the problems the farmers are going to be put through with respect to operating farms in this province?

The second thing the Agenda for People, which was put forward by the New Democratic Party, says:

"New Democrats propose making long-term debt financing available to farmers at the government's long-term borrowing cost. Up to \$100 million would be made available."

That's it. That's it as far as what the New Democratic Party thinks about farmers in this province. I can say that the first hint of relief to the farmer appears to be Bill 91, for which there isn't exactly a great deal of support among the agricultural community.

1600

The agricultural budget that was put forward in the budget of 1994 is over \$100 million below its level of 1991. Of course, this is just before the Premier of the province changed the name of the Ministry of Agriculture to reflect its expanded role, so not only is there no new money, there's less. Now we have Bill 91, which appears to be going to be rammed through this House.

The other thing that we can't forget is the difficulty in the operation of farms in this community. This is just one more headache that you're putting on the operation of farms.

I asked some of the people in my riding where they stood on this issue and I received some comments from the president of the Peel Federation of Agriculture, Mrs Frances Johnston. She said, "The agricultural community would like to be treated separately as it relates to the labour laws and the farming community," and that is one thing, Mr Minister, that you have simply overlooked. Your job is to unionize the province of Ontario, whether it's farming or anything else, and that's what you're going to do, notwithstanding the fact that the Ministry of Labour knows absolutely zip as far as agriculture in this province is concerned.

Mrs Johnston says, "The definitions in the bill are too broad and there is some concern over who would be included and who would not." She goes on to express her concern about the fact that "Bill 91 isn't detailed enough in its definitions."

She acknowledges that "The family farm will supposedly be excluded from Bill 91." But then what is a family farm? In my riding I can think of specifically one in the town of Caledon where there is a large number of families who are all related, whether they be cousins, uncles, brothers, sisters, in a very large operation. The bill is going to apply to them even though I think of them as a family farm. I doubt if you do, because you've probably never seen one of these types of farms, but that is a family farm.

Mrs Johnston continues as she asks, "What is the definition of a family farm?" She says, and she knows certainly far more than I on this topic, in her position as president of the Peel Federation of Agriculture: "There are many examples of cousins working with cousins. Extended families are quite common in smaller rural communities where families have been living and working together for many generations." That's quite true.

There are many century farms in my riding, in the town of Caledon, in the county of Dufferin, yet by the

definition that you have put forward in this legislation of Bill 91, they are going to be subject to this legislation. I haven't seen your amendments. Hopefully, you're going to clarify all that. Somehow I doubt it and somehow I doubt if I'll have an opportunity, because of this closure motion, to speak about it further. I certainly won't have an opportunity to hear from many of these farmers. I'm sure there are many members in your own government who represent farming communities who would like to hear from these types of farmers who are concerned with this particular point.

Mr McLean: They don't want to hear from them.

Mr Tilson: The member says, "They don't want to hear from them," and I think that's the real reason. You want to get this out of the way. It's something that you've had enough of. It's been dangling around. You really haven't pushed it too hard. You know the resistance is increasing, "So let's put closure and slam it down." The member is certainly correct. You have no intention of hearing from the farmers and members of the agricultural community as to what they really think about Bill 91.

Mrs Johnston continues. She asks a number of questions: "How will the enforcement of Bill 91 happen? Who will be the arbitrator in disputes?" One of the concerns that she raises, which is something I'm sure you thought of, is, "Will the arbitrator be a Toronto bureaucrat who has never been north of Highway 401?"

You shake your head, but that's the concern in my community. If she's wrong, why don't you give her an opportunity to come to Toronto? Better yet, hold a hearing in my riding or a similar riding in the area and hear from these people. If they're wrong, tell them how they're wrong. But you're not prepared to do that.

Those are some of the comments that came from Frances Johnston, the president of the Peel Federation of Agriculture.

I also spoke to Philip Armstrong, who is the provincial director in the region of Peel for the federation of agriculture. He certainly speaks for a large number of farmers in the region of Peel, which includes my riding of the town of Caledon, which is the north half of the region of Peel. He says that without a doubt, "Farmers have a problem coming under the Ontario Labour Relations Act."

At the very least, why is the Ministry of Agriculture being diminished? Why, when the Premier expands the definition for the Minister of Agriculture as having the responsibility for rural affairs, is he assigning all of this dastardly stuff to you as Minister of—I should be directing my comments to you, Madam Speaker, and I apologize, but the concern is that this minister simply doesn't care.

The other comment that Mr Armstrong had made was: "Workers should have rights just as workers have in other industries. A strike or a work-to-rule campaign, no matter how short, could mean an end to a season's worth of work and profits."

I know the legislation precludes lockouts and strikes. The difficulty is, quite frankly, that farmers don't trust

you; they don't trust this government. They've looked at your record and they're afraid of what you're going to do in the future, either through regulation or otherwise, and they simply don't trust you. That's one reason why Mr Armstrong made that comment.

He also said that, "Because farmers are price takers, not price setters, things such as minimum wage increases and union demands could make their product uncompetitive and therefore their produce would not be sold."

That's something that I think your government forgets, whether it be for Bill 40 or many of the other pieces of legislation that you have put forward: that this is a global economy. The province of Ontario, whether it's farmers or any other profession, has to deal beyond our borders. We have to deal with the Americans, we have to deal with the Europeans, we have to deal with people all around this world, and yet this is just another difficulty that they have to deal with, this piece of legislation that is going to make their chances of being competitive that much more difficult.

I honestly don't think that you've thought of that. I suspect that you have consulted and I suspect that you've talked to the union leaders, who want to, naturally, expand their union membership. I can tell you that our leader, Mr Harris, is quite right. He doesn't believe that you've been talking to the workers, but that you're talking strictly to the union leaders. I don't think that's quite fair, and that's why I emphasize—

Interjection.

Mr Tilson: Well, the minister didn't like that and that's why I emphasize: If I'm wrong, what would be the harm of having public hearings? What would be the harm of going to all of the various agricultural communities around this province—and I realize we would have to restrict that to "some"—but going to many of the agricultural communities around this province and listening to what the farmers, what the farm workers, what the people who are involved in the agricultural industry think of what this bill does and how it's going to affect not only the agricultural economy but the economy of this province?

But no, you're going to give us one hour in committee of the whole, which is in this place, and one hour on third reading. That's not enough on these issues to satisfy the concerns of farmers in this province.

Mr Armstrong also indicated that: "A better alternative is to improve employee relations through education and peer pressure. Farmers cannot get workers to work on their farms if they are uncompetitive with other industries in their area, manufacturing or otherwise."

That's another thing: Farmers do find it difficult to get workers. Not only are farmers now going to find that difficulty, encouraging people to work for them, but they may stop hiring. That's the whole issue of this province right today, the issue of jobs.

What efforts is the province of Ontario doing to increase employment in this province? I know you're going to yell out "Jobs Ontario" and the wonderful things Jobs Ontario is doing in this province, but I'm telling you

that you need more than that. You need to go to the farmers, the manufacturing community, the private enterprise people and encourage those people to start hiring again. Bill 91 isn't going to do that. Bill 91 is going to discourage farmers from hiring, whether it be full-time or part-time workers.

1610

Mr Minister, I doubt if you're aware of this, but according to Mr Armstrong and according to my knowledge as representing a rural community—I know you don't represent a rural community—"Most farms have only one or two employees and are already providing competitive wages and benefits to their employees."

This is someone who represents the agricultural community of one of the largest regions in our province, the region of Peel. This is a statement that is made through consultations. Other people do consult. This is made by the provincial director for the region of Peel for the Ontario Federation of Agriculture. If you're saying he's wrong, I don't think he is. I don't think you've considered that.

He says: "Increased costs cannot simply be passed on to the consumer. The agricultural community competes with American and worldwide producers so every new government-imposed regulation or law is making it more difficult for the farming industry to compete globally."

That of course is what I said at the introduction of my remarks. That's exactly what you're doing. You're making it more difficult for the farmer to compete in the North American and the global economy, simply by more add-ons. Those were the comments by Philip Armstrong.

The third person I spoke to is a farmer in my community. I did consult. I don't know whether you did or whether you spoke to individual farmers. My understanding is that you literally gambled and forced the federation of agriculture to do what it did. Now they're simply explaining how you went about that.

Allan Thompson, who is a dairy farmer outside Georgetown, made comments similar to Mrs Johnston and Mr Armstrong. I'd like to relay some of them to you because I doubt if you've heard some of them.

"The agricultural industry has been going through some very tough times in the last few years. It has not been spared from the worldwide depression in markets and prices." That applies not just to agriculture but to everything. This has been a tough time. Gosh, you in this government know it's been a tough time, whether because of the recession and problems in the economy in this country and global-wide. But at the same time, having heard that, you must appreciate specifically the problems that farmers are going through in this particular time.

One of the saddest things, Mr Minister, which I doubt you've seen, but I've seen it in my own riding, is to drive by farms that used to be farms and they're not. They're just empty. People may live there but the fields are just lying there. There are no farming operations going on. Why? Because it's become tougher and tougher to operate as a farmer in this province.

Farmers need as much encouragement as possible from the government. You and your ministers and your

government have not given the encouragement they need to stay alive in this recession. What is my proof? The proof, and I can't believe that mine is the only riding, that if you drive by farms all across this province, you see empty farms, empty farm land. They're just not farming.

Mr Thompson added a few other comments. He said, "Governments cannot help the family farm as they have in the past, but they do not need to hurt that same farm with additional regulations and controls such as Bill 91."

The farmers know that it's difficult, that there's a shortage of funds. Many of them have read our platform that we're putting forward for the forthcoming election. I was going to say "the forthcoming revolution," which is what I think it will be. They know there are going to have to be considerable cuts in all aspects of our community because it's simply a debt that's out of control.

Much of it has been caused by your Treasurer and your government. I can still remember your Treasurer standing in his place in 1990 and essentially saying that he was going to buy his way out of the recession. And buy his way out he has done: He's just put us in debt. The predictions in this province are that we're going to have a debt in 1995 or 1996 of something like \$98 billion, a provincial debt of that amount of money, and a deficit which he says is now \$8.5 billion and I suspect is closer really to \$11.5 billion or \$12 billion.

The farmers know the difficulties that the province of Ontario is going through and that government is going through, whether it be municipal, provincial or federal, but they don't need this stuff. They don't need this Bill 91. They're finding it difficult to operate, but you are making it far more difficult by putting this piece of legislation at this particular time.

Mr Thompson said that farms will not be able to compete if their farms are forced to unionize. I have been to his farm. It's a very successful dairy farm outside Georgetown. I know he doesn't fool around. What he says is the truth. He's very worried about what you're doing to the farmers of this province. In that area there are a number of farms and they all have the same concerns with this type of legislation.

Owners of farms, Mr Minister, as a result of your legislation, will be forced towards mechanization instead of hiring additional labour. You're going to force them to do that. That's what you're going to do. You're going to force them to become more mechanized, so there'll be fewer and fewer jobs, whether it be part-time or full-time jobs. That's what you're forcing them to do; you, a government that says you're trying to create jobs in this province.

Madam Speaker, there are considerable other areas I'd like to discuss in this closure motion and hopefully in the future, but there are other members of my caucus who wish to speak. I therefore thank you for allowing me to speak.

The Acting Speaker (Ms Margaret H. Harrington): Questions or comments to the member for Dufferin-Peel?

Mr Kimble Sutherland (Oxford): I listened to the member for Dufferin-Peel. He quoted someone from the

local federation of agriculture, from the riding he represents. I want to make reference to my local federation of agriculture, when the issue came up regarding some signs that had been put up by Ontarians for Responsible Government. The group has put up some signs across the province expressing its opposition.

I want to point out that Ontarians for Responsible Government are an arm of the National Citizens' Coalition. We know very much that this group does not support supply management. We've never heard of them before supporting any issue to support agricultural farmers in the province.

I want to say quite clearly that my local president of the federation of agriculture was very clear in her response to the comments by Ontarians for Responsible Government, that they understood what had gone on in the process of developing this bill in terms of the task force. They did have some concern about the initial wording of the legislation, that was fair enough, but they felt confident that through some of the amendments that were being talked about and that would be put forward, it would meet their concerns and this bill would not have a serious impact on the family farm.

I want to put that forward, because the member for Dufferin-Peel was citing some people involved with his local federation, and to say that there is a difference of opinion among the province, that it isn't clear-cut opposition. Maybe on first wash people are very concerned, but I think that when they look at what is actually being proposed, at what is being put forward in amendments, and realize that one of the groups that opposes it—fair enough, they have the right to do that—really doesn't have any track record of supporting farmers, of supporting agricultural issues—it's pretty hard to say you support farmers when you say you're against the supply-management system, as the National Citizens' Coalition has said for many years.

1620

Mr Cleary: The member said he was speaking to his federation of agriculture, and I was too, as late as 11 o'clock last night. They cannot believe that what I told them was going to happen today is happening. They said that they cannot find any support for this Bill 91. I was speaking to some others this morning. As I travel around the province, I still find no support for Bill 91. It's just another burden for agriculture that they have to bear, along with competitiveness, productivity and profitability.

They are also very concerned about the hit that agriculture has taken in the past budgets and the true figures of this year's hit of \$34 million-plus. Some think that will be a lot more. They're also concerned about some of their money for agriculture maybe going to added responsibilities in rural affairs. As we've travelled around the province and been in many areas, I still can find no support for this bill.

Some of the members across the way have stood up and spoken. I've been in some of their areas too, and I'm hearing somewhat different things than they're telling us. I'm very concerned about this piece of legislation because the agricultural community doesn't need to be hit with any more paperwork and legislation.

Mr McLean: I want to comment briefly on the comments from my colleague the member for Dufferin-Peel. I'm concerned because the minister is here today and he's not making any two-minute statements, which would give him the opportunity, if he feels there's something that's not clear in this bill, to get up and make it clear to us here.

I would like a clarification with regard to a bargaining unit. All dairy farmers in one county: Can that be classified as a bargaining unit? The member talks with regard to the family farm and there are a lot of people who are concerned about that. Are all the beef farmers in one county to be classified as a bargaining unit? Are all the hog producers classified as one bargaining unit? And that's especially if you have one or two employees. How many employees do you have to have in order to be able to form a bargaining unit? Is it two employees, or five or six or 10?

I wish the minister would get up and clarify that. I wish he would also clarify the part with regard to the provision with regard to the arbitrator. Who's going to appoint the arbitrator and the board and who's going to look after that? We're not hearing that. Part of it's in this bill, but is that part of the bill going to be amended?

My colleague was up speaking about many aspects of the farmers who wrote to him and told him. I would like some clarification from the minister if what he has said is right? He's not telling us that what he's saying is not right. Therefore, the minister is not, in my estimation, being part of this. I know it's a closure motion, but we're dealing—

Hon Mr Mackenzie: Wouldn't believe me anyhow. I told you several times.

Mr McLean: Well, certainly we would believe you if—

Mr Tilson: Here's your chance, Bob.

Mr McLean: That's your chance, you see, to get up and say it. Are two employees a bargaining unit, or is one employee? All the dairy farmers? My son and his wife, if they have two hired help on our dairy farm, are those two people classified as part of a bargaining unit? I would like that clarified.

Mrs Fawcett: Interesting: I've just received a copy of a letter that was given to the Minister of Agriculture, Food and Rural Affairs on this very bill. It's from the Ontario Cattlemen's Association and it says:

"Dear Mr Buchanan,

"Re: Agricultural Labour Legislation:

"We understand debate is taking place on Bill 91, legislation that could lead to unionizing family operations.

"The purpose of this letter is to state the opposition of Ontario cattlemen to any measure which would have the end result of allowing unions to become established for farming operations. This issue was debated at the annual meeting of the association attended by approximately 225 delegates representing every agricultural area in Ontario. Delegates to the meeting passed the following resolution with overwhelming support:

"Be it resolved that the Ontario Cattlemen's Association lobby for the continuation of the farm exemption in labour legislation.

"I would urge that you reconsider implementing any legislation which would lead to establishing unions on Ontario farms."

"Ken Summers,
"President."

I am sure that the member for Dufferin-Peel, if he has any of the cattlemen's association in his riding, would agree that farmers out there just do not see the need for this legislation. Why the minister can continue to purport to have consulted with these farmers, who say that he thinks they need this legislation, is beyond me.

The Acting Speaker: Now the member for Dufferin-Peel has two minutes to respond.

Mr Tilson: The member for Oxford made some comments about the billboard politics, which I know the Premier doesn't like. I'm glad he raised that, because that is a prime example of how the agricultural community is simply enraged with this government. In case some of you forget, on the billboard that was put up by the citizens lobby, there's a picture on one side of a jackass and a picture on the other side of the Premier of this province, Bob Rae, and the sign said, "Which one wants to unionize the family farm?"

I think we all know what the answer is. We all know who wants to unionize the family farm, and it's not the jackass.

Mr Stockwell: I'm not sure you're right.

Mr Tilson: The member for Etobicoke West says maybe I haven't got that right. Yet the Ministry of Transportation came along and said, "Take all these signs down." You're not even going to allow members of the public to demonstrate against this bill. You won't even allow them to put up a simple sign on the highway that says your Premier is a jackass for putting forth this legislation. You won't even allow them to do that.

Number one, you won't allow public hearings. You won't allow the farmers of this province to come and make presentations either in this place in the city of Toronto, at this Legislature, or, better yet, around the province. I suspect you're worried about that. I suspect that to go into a farming community and debate this with farmers—you know what's going to happen? You're going to get thrown out.

The Acting Speaker: The member's time has expired. Further debate?

Mr Cleary: I wish I could start my comments by saying what a great pleasure it is to have the opportunity to address the motion on Bill 91 respecting labour relations in the agriculture industry today, but I cannot.

I am very disappointed because I don't know of any support for this bill, and what aggravated everyone more was the time allocation motion. I was speaking to agricultural people as late as 11 o'clock last night and early this morning. These were federation members, and they think it's a joke, what's happening here today.

I cannot say this, because I disagree with the premise

of this legislation and I don't understand and am unable to get answers from any minister or anyone across the way about how this will help competitiveness, productivity and profitability. I cannot find why it's going to exist. No one seems to know the answer. The minister sure doesn't know the answer. I don't understand where the Minister of Labour gets off forcing this damaging legislation on farmers. I don't understand why the Agriculture minister is not defending the family farm. I cannot understand why he is not.

Who outside the NDP caucus wants this legislation? The member for Huron just mentioned that everybody supports the legislation. Yet I see a letter here from the Ontario Cattlemen's Association addressed to the Honourable Elmer Buchanan, and it has the member for Huron's name, Paul Klopp. They're not supporting the legislation. I think there's something wrong there, and if people aren't telling him, he should at least read his mail.

1630

The minister's laughing, but he should get out into rural Ontario and see what's going on. As I said earlier, I've consulted with many farmers, farmers in S-D-G, Leeds-Grenville, Prescott and Russell, Renfrew, Middlesex county, St Catharines-Brock, Welland-Thorold, Huron, Lincoln, Carleton, Prince Edward-Lennox, Victoria-Haliburton, Bruce, and as we heard today, many others said they cannot find support for this bill.

We all know that Ontario family farms have traditionally been exempt from the provisions of the Labour Relations Act in order to minimize the impact of labour disputes which could be devastating to many operations.

Things were going very well on the family farm until this NDP government came along. The questions we've asked the minister, he's never been able to give us the answers to. One of the first steps the NDP government took to hamper the provincial economy was to introduce Bill 40, a job-killing bill which provided unions with more power and limited the ability of business to survive during labour disputes.

We, as Ontarians, consumers and farmers, could only wish they stopped there, but they didn't. We don't know exactly why they brought along Bill 91. We've heard all kinds of stories, and when we ask the minister, he doesn't seem to know.

Under Bill 40, the NDP removed the long-standing agriculture exemption from the Labour Relations Act and promised to enact separate farm labour legislation. In light of all the broken promises and major flip-flops, it is amazing they pulled through on this one; amazing perhaps, and also unfortunate, because we cannot find out who wants this bill. The message is not getting through to this government, which more or less brings us to where we are today and why we are being forced to consider this senseless legislation.

What farmer wants this legislation? The legislation is not what the agricultural community wants. At no point did farmers want the NDP to pull through on this promise, especially as farmers are still waiting for the financial assistance promised by the NDP during the 1990 campaign.

Instead the NDP government has introduced detrimental farm legislation, dropped a major financial assistance program, failed to implement the agriculture investment strategy, shrunk the Agriculture budget by over 8%, robbed farmers and consumers of dairy inspectors—and this reality will hit later on; I think it's already started to hit—pursued restrictive land development policies, threatened rural development, closed agriculture colleges and stripped young farmers of their future.

The NDP government has now turned its guns against the farmers of Ontario, the men and women in small, predominantly family-run, agriculture businesses. The legislation currently before us, Bill 91, will place another burden on the industry that is already struggling with weather conditions, marketing uncertainty and many others. Again, the farmers in the province do not need this legislation.

My colleague has already referred to the letter from Ken Summers. That's a loud and clear message to this government, and it was sent on June 8. That should have reached the ministry and the parliamentary assistant should have had copy of that too.

All I can say, as I said earlier today, is that this legislation is about as popular as a flash flood or a late frost in the spring. Why can't the minister tell us who is supporting this legislation?

I can't understand a government that says it supports agriculture, and it's been mentioned today by the members for Huron and Sarnia, yet hits them with a \$34-million to \$47-million cut in the past budget, with added responsibilities for rural affairs and some of that money from Agriculture going to Rural Affairs.

I have always said that if the government changes and we happen to become the government, what we will do is bring in all the players and we will listen to people, and we will scrap the bad legislation and keep any good. In my opinion, unless there's something I find out later on, Bill 91 is bad legislation.

I would like to move, Madam Speaker, that the government delete subsection 2(2) of the Labour Relations Act; that clause 2(b) of the Labour Relations Act be amended by striking out the phrase "except as provided under subsection (2)"; that a full exemption from the Labour Relations Act be reinstated—

Mrs Fawcett: On a point of order, Madam Chair: I really don't believe there's a quorum present for this very important debate.

The Acting Speaker: Would the clerk please determine if a quorum is present?

Senior Clerk Assistant and Clerk of Journals (Mr Alex McFedries): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Senior Clerk Assistant and Clerk of Journals: A quorum is now present, Speaker.

The Acting Speaker: The member for Cornwall may resume his debate.

Mr Cleary: I intend to amend in committee: delete subsection 2(2) of the Labour Relations Act; that clause 2(b) of the Labour Relations Act be amended by striking

out the phrase "except as provided under subsection (2)"; that a full exemption for the Labour Relations Act be reinstated for the family farm and not call Bill 91 for second reading.

1640

The Acting Speaker: Now we have questions or comments to the member. Are there any questions? If not, further debate. The member for Simcoe East has the floor.

Mr McLean: I want to take part in the debate today and I want to welcome my colleague the critic for Agriculture back to the Legislature after a few days off. We wish you well.

I welcome the opportunity just to comment briefly with regard to the motion before us today, this closure motion, which is about the fifth or sixth this government has brought in. I'm not so sure why we need closure motions when you have legislation that is proper and good legislation that the people have had input into. When you go out and travel the province and talk to people and you have legislation that the people want, I have no idea why you want to bring in closure motions.

There have only been two people of our party who have spoken on this Bill 91 to date. I think the reason he's bringing this closure motion is so that he doesn't have to listen to the people. I have no idea why he doesn't want it to go to committee to let the farmers come and have full input into a bill that he thinks is important for the agricultural industry.

There are letters that we have got and people whom we have heard from who don't believe that it's of importance at this time. They don't believe that it's necessary. I own a dairy farm which is run by my son and his wife. I hope I haven't got a conflict here, because I feel that the operation that we had and the farmers that I know in my community don't have to have legislation such as Bill 91. There's just no need of it. It's uncalled-for.

Why the government is so intent on bringing this forward is totally beyond comprehension. I can't believe that this would be a priority of any administration: the farmers who supply the food; the farmers who work from 5:30 in the morning till dark at night; the farmers who are out there doing the labour that we're enjoying—and now you want to say to them, "You must organize."

When I was on the farm we had rainy days and we would take the time off on the rainy days and work a little extra on the sunny days. Now what are you going to have when you get a bargaining unit that says, "You work so many hours a day"? They say, "Well, you know, it's not affecting the family farm." I can assure you that it probably will affect the family farm, one way or another. If they don't think it's going to affect the family farm, then why don't we have public hearings? Why don't we have the people in who are going to be part of this whole outfit and find out what their concerns are, what they want to talk about?

There are very few members on the side of the government who are farmers. I don't know why you don't listen to the people out there who are involved with regard to the farm operations.

Once again, we have a government, a party that not long ago brought in closure for photo-radar; they're cutting down and putting the lid on free speech; they're overregulating the people of the province. We see in this morning's clippings where they're going to send out 600,000 notices to corporations that haven't paid their \$50. Somebody said today, "Is that a user fee?" Well, is it a user fee? What about those corporations? What are you going to do with them?

This overregulation of labour laws in the form of Bill 91 and Bill 40, that job-killing bill which is driving people out of this province, closing down businesses—why would somebody want to come to this province and start up a new business with the labour attitude of this government?

You're not happy with Bill 40. Now you want to unionize the farmers. I say, shame on you. You're anti-business, anti-agribusiness. You're anti-job. You're anti-worker. The anti-prosperity agenda that has prevailed with this government is totally uncalled-for. We have dealt with the issue of the successor rights, this portion of the NDP's Bill 40, the Labour Relations Act. It's sending an unfortunate pro-union message to business and it will make it uneconomical for short-line operators to take over abandoned rail lines in this province.

The minister has indicated: "We're working on it. We're talking. The ministries are working on it." What have they done? There seems to be no conclusion. Will we be able to keep the company that has 80 jobs, Stepan Canada near Orillia? They have 140 cars that come in there annually. The only way the material can be shipped is by rail. They're closing down these lines. CN has made the announcement. It's going to happen, a \$3.5-million payroll out of that one industry, and all indications are that it will be closed down.

They have these collective agreements, which is about 17 different unions that are involved with the CN rail lines. What's going to happen?

Mr Stockwell: What's it worth when they close?

Mr McLean: What's it worth when they close? It's not worth anything.

Why is the Minister of Labour not concerned with regard to the successor rights portion of that bill? Well, he is. He said yesterday to a question from my colleague, "It's important that it should be there and it's going to stay there, because we want to keep those people in the union." What does a union do with regard to the agricultural industry? I don't think it needs to be there.

My family used to have farm help. They don't have farm help any more. The family does it now. They cut back. Why? Because they were so sick and tired of filling out forms every month, sending into the federal government, sending into the provincial government. The Workers' Compensation Board harassed them for about a year with regard to billing them. They'd already paid their bill, but they still got another one.

So I say to the Minister of Labour today, I have no idea what you're trying to do with regard to unionizing farm workers. You're not listening to the people.

Farm operations have nothing in common with indus-

trial sectors that have traditionally been subject to the Ontario Labour Relations Act. The perishability of products is the cornerstone of distinction between the two sectors. A factory can generally shut down for two weeks and resume operations without any significant damage to the product. A similar scenario cannot be presented for food production.

You know something, Minister? Dairy farmers milk cows Christmas morning. I bet you didn't realize that. Farmers milk cows every day, morning and night. Some of them milk them three times a day, but most of them milk them twice a day.

What regard do you have for these types of operations? What are you going to say to the people in the bargaining unit with regard to the conditions that are going to be put on?

I hate to do this again, but I want you all to think back to the news release issued by Bob Rae on August 19, 1990. This news release was about a document entitled *An Agenda for People*, and the second paragraph reads:

"This is a great province. But how much greater it would be if it truly belonged to the people. Instead, we have a government today driven by a narrow and self-interested agenda, ignoring what needs to be done."

Was Bob Rae talking about the former Liberal government or the current NDP government? It's really getting difficult to tell them apart. I must be thinking back to the old Liberal-NDP accord days, and I remember those accord days, the agenda that was dictated by the socialists at that time, implemented by the Liberals.

Supporters of the reform of Ontario's agricultural labour law point to legislation in neighbouring jurisdictions and note that the majority extended bargaining rights to farm workers. However, the Ontario agricultural sector is far larger in terms of the volume and variety of products generated. The Ontario agricultural industry is composed of sectors such as tobacco and vegetables, which are very labour-intensive. The dollar value of Ontario agricultural production exceeds that of all other Canadian provinces. To arbitrarily make comparisons is presumptive and illogical.

The economic reasons for not introducing a new bill at this time are compelling. In general, the farm economy has never recovered from the economic devastation of the early 1980s, caused primarily by rising interest rates. We all remember those 19% and 22% interest rates.

The 1990s have been characterized by international subsidy wars and price supports, which for the most part have left Ontario farmers hung out to dry. Furthermore, Ontario farmers are faced with the potentially disastrous prospect of supply management being destroyed and other major structural changes through trade negotiations. The general feeling in the farm community indicates that higher wages and other costs associated with organized workforces are not needed.

Today on the 12:30 news on CKVR-TV they did an interview with about three different farm families. There wasn't one farm family there that was totally making a living off that family farm. There was one father and two sons; the wives were working. There was the head of the

OFA in the county of Simcoe, and his wife works off the farm. He says she's the one who puts the food on the table.

1650

I often wonder where we're going to get off with regard to agriculture. We know the cost of providing the services. We know our electricity goes up, the costs of all the operations of the farm. What he does goes up and his wages do not. The cost of what he sells is not going up. The cost of an animal or the supply management with regard to the dairy industry has been holding firm. I think the dairy industry has been one of the most fortunate ones of the whole aspect of the farming area, along with their feathered products, which are under the marketing board.

When we look at the climate we're in and we look at what's happening here today, we're really debating a closure motion which is going to bring in Bill 91 to unionize the farm workers. Is that what the priority of this government is? I don't know why it's a priority. I know there are other things that I would think would be more of a priority. We're having 25 amendments and 28 pages, but the government will allow only one hour for consideration in committee of the whole.

Madam Speaker, could you imagine, if we were in government and they were in opposition, that they would allow us any such form or type of legislation as closure motions? I remember in this Legislature when Bob Nixon, the Treasurer, wanted to present his budget and the NDP was in opposition. They closed down the House. He couldn't present the budget in here. These people have done more to take away the rights of people in this province than any government that I can ever remember.

Not only that, but when we look at what's happening with regard to the Sewell commission, the municipal affairs report, the municipalities across this province, they've given the Association of Municipalities of Ontario and the Rural Ontario Municipal Association 90 days to comment on something that Sewell took two years to put together. That is not fair. They're not listening to the people. They don't want to listen to the people.

That's why the minister doesn't want this bill to go to committee. He doesn't want to have to sit there and listen to what the farm people in this province have to tell him. I wish there was an opportunity for him to be able to say something, because today he has not got up on the two minutes yet to talk about what my colleagues have discussed and what they have asked and what they want clarification for. He has not done any of this. He's sitting here. He wants to bring in closure. He doesn't want debate. It's a disgrace to the people of this province to have to put up with what these people are doing.

The Acting Speaker: Questions or comments to the member for Simcoe East?

Mr Noble Villeneuve (S-D-G & East Grenville): I want to certainly congratulate my colleague from Simcoe East for bringing the real truth and reality to this Legislature today.

Agriculture, as he mentioned, is unique in nature. We

used to have pretty good plans to get young farmers to go into the business: the beginning farmers assistance program, the Ontario Farm-Start. That all died, wasn't renewed; nothing at all to promote and enhance the replacement of our aging farm population. Yet we have in this legislation, Bill 91, very much all sorts of interference with farmers.

I have a letter here signed by Ken Summers, president of the Ontario Cattlemen's Association. I received it by fax this afternoon. The delegates at a recent meeting, 225 of them representing every agricultural area in Ontario, passed the following very short and precise resolution, which reads, "Be it resolved that OCA lobby for the continuation of the farm exemption in labour legislation."

That's fairly simple; no frills attached. Just continue as it's been in the past: exemption for agriculture.

Agriculture is unique in nature. Many times, the vast majority of times, the employee lives in the employer's residence on the farm. They talk. They don't need an arbitrator to come from God knows where to settle a dispute. They live right there. At 6 o'clock, 5 o'clock in the morning they're at the barn together. The employee lives in the employer's residence on the farm, the farm labour residence. Why do we need a bill like Bill 91 to simply complicate and create friction that doesn't now exist?

I hope the minister, and he's here today, reconsiders that exemption for agriculture. That's all we need.

Ms Sharon Murdock (Sudbury): I just want to comment on a couple of the things the member for Simcoe East has said, not only now but other times when he has spoken to Bill 91. First of all, he well knows that in most committees the minister rarely sits in through the entire committee.

Certainly, in the resources development committee, which this bill would more than likely go to, the parliamentary assistant, in this case the member for Kitchener-Wilmot, would be carrying this bill. He knows that's the case.

Also, the minister has already spoken and answered many of the questions that the member has already asked, so that to infer or state baldly in this House that he is not answering is really, I think, reprehensible on the member's part.

I would also like to say that it is very well known that under the Labour Relations Act, in terms of forming a union of any kind, you have to sign up members and you have to get certified, no matter how you do it. I suppose it is possible that if you had a family farm with five or six people in the family working on it, or even other members, cousins and whomever—because my relatives are farmers as well—I guess some organizer could come in and get them all to sign membership cards. I find that highly unlikely.

It is for the manufacturing and processing in the agricultural industry that you have to allow them to do it, because the reality is that when you look at mushroom farmers or tomatoes, you are sitting there and looking at a processing farm in the agricultural industry. It is not for the purposes of unionizing family farms across the

province. You have to have willingness to have that done.

Mr Stockwell: I think the member for Simcoe East, and afterwards the member for S-D-G & East Grenville, probably offered up what I would consider to be a very long and historic view of the farming community in Ontario.

Mr Steven W. Mahoney (Mississauga West): Have you ever been on a farm?

Mr Stockwell: I don't claim to have any experience in the farming community. That's why when farming issues come forward, people like Noble Villeneuve and Al McLean offer up what I think are opinions that may well be as accurate and reflective of that community as you can find.

It seems to me that when those questions get put about a farmer or a farm family that supports this piece of legislation, it's very difficult to think of one farmer besides the member for Huron who supports it. What it says to me is that probably the people who are being spoken for here are being spoken for by the member for Simcoe East and the member for S-D-G & East Grenville. I personally feel that the kind of attitude they've brought forward and the arguments and responses they've elicited seem to me to be the kind of responses that are necessary when dealing with a bill like Bill 91.

"If there was a large section out there who were calling for this kind of legislation," they have said to the minister and the government, "if that's the case, show us who these people are. Please allow us to debate the people who are in fact asking for this legislation. Give us the opportunity to face down those people in opposition. Allow us the opportunity of debating at first hand with the people who say this kind of legislation is needed." But they can't. They're debating ghosts; they don't exist.

You're saying today that they don't understand the legislation, that there's processing involved, that they don't really know what they're talking about. It's a sad commentary when you've got the member for Sudbury and a member from Hamilton telling these two gentlemen that they don't know what they're talking about.

1700

The Acting Speaker: We have time for one more question or comment. Seeing none, the member for Simcoe East has two minutes to respond.

Mr McLean: I would like to take my two minutes to respond. I'd like to thank the member for S-D-G & East Grenville for the remarks that he made. I'd like to thank the member for Sudbury for getting up and speaking on behalf of the minister, but I find that rather difficult because the minister's sitting in the House today. Is he not capable of getting up and speaking for himself? I can't believe it. It's just totally unbelievable.

Of course, my colleague the member for Etobicoke West, the greatest farmer in Etobicoke I know of, has the answers we need. He summed it up pretty well when he was talking about Noble and I. He's probably right; I think he was right. We have a Minister of Agriculture who's a teacher. I'm not so sure what his background was in agriculture, but I do know that the people of this province must be concerned.

Can you imagine a Minister of Agriculture allowing the Minister of Labour to bring in Bill 91 as part of Bill 40, its kind of compatible legislation? I can't believe that this is happening today. I cannot believe that the Minister of Agriculture, who is supposed to be acting and speaking on behalf of the farmers of this province, is sitting here, not being part of this debate. The Minister of Labour has brought in closure to cut off the farmers of this province and the Minister of Agriculture is not doing anything to stop that. I find that a total disgrace.

There have been several people who have referred to Ken Summers, the president of the Canadian Cattlemen's Association. Does he not say it all in just a very short, one-page comment that he made with regard to this? The Minister of Labour, when we had ministers, when we were in government, they were in the committee, they had the hearings, they listened to what the people had to say, and this government sends in the quackies to listen to it.

The Acting Speaker: Further debate?

Mr Mahoney: They refer to the member for Etobicoke West as being the best farmer in Etobicoke, and I guess I'll claim to be the best one in Mississauga. But I don't necessarily look at this debate today as a debate on agriculture. This is more a debate on democracy.

Mr Sutherland: Oh.

Mr Mahoney: It really is. It's a debate on democracy and the way that the NDP has chosen to run the province. It's the way that you've decided—you see, you can't get your legislation through the normal process, and there's a reason for that: You can't line up the support you need both within the community and within the Legislature to pass the bills. So you resort to a couple of tactics that are the only thing you can do to get your bills put in place, many bills, by the way, that are nothing more than paybacks that either the Minister of Labour or the Premier or perhaps the Minister of Finance or others—they have debts they have to pay back to people, often-times people in the labour movement.

It's interesting to me that while this is a debate that is carried quite eloquently by the co-critics for Agriculture for the Conservative Party and certainly for my party, Mrs Fawcett and Mr Cleary, they are, it appears, as the member for Mississauga West has pointed out, the only four people in this place who are speaking out on behalf of farmers.

Mr Stockwell: You're from Mississauga West.

Mr Mahoney: I know, but I'm speaking out on the principles of democracy, the closure, the tactics this government has used heretofore not experienced in this place, the level, the number of bills that have been closed down by a government with a massive, arrogant, uncaring majority.

Mr Sutherland: Look who's talking.

Mr Mahoney: I'm talking, that's who's talking, and you're the ones doing it. Madam Speaker, to the member for Oxford—

Interjection.

The Acting Speaker: Order.

Mr Mahoney: —just a little bit of a lesson in history: This is the 14th time. I heard one of the members for the Conservative caucus say that they had invoked closure four or five times since the—

Interjection.

Mr Mahoney: Fourteen times, the 14th time. Let me lead you through the litany of bills.

Interjection.

The Acting Speaker: Order.

Mr Mahoney: If the Minister of Agriculture feels so strongly, why doesn't he get on his feet and talk to the farmers of the province and tell them why he's trying to unionize the family farm? Tell them why you're selling out to Gord Wilson as a payback by the Minister of Labour. That's why this bill—

The Acting Speaker: Order. Would the member take his seat for a moment.

Mr Mahoney: What did I do?

The Acting Speaker: I would ask the member not to be provocative. It would be very helpful to the decorum in this House.

Mr Mahoney: I'll try not to be provocative, but I must tell you, Madam Speaker, it was the somewhat incessant chirping of the member for—

Mr McLean: On a point of order, Madam Speaker: I'd like to take the opportunity to correct the record. I spoke earlier and indicated it was five or six times they brought in closure. I've been informed it was actually 14 times, so I wanted to make sure my record was correct.

The Acting Speaker: That is not a point of order. I ask the member for Mississauga West to continue.

Mr Mahoney: As in your admonition to me, I will try not to be provocative, but I think my microphone was off, so I would again reiterate to you that it was the—what did you call him? The shill from Oxford? I wouldn't want to call him that—the honourable member for Oxford and the Minister of Agriculture who indeed were the provocateurs on this day. Don't tease the bears, as they say.

Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs): You've got 25 minutes left.

Mr Mahoney: Oh, don't worry, I can fill that without a problem. And if you decide you want to jump in and help, you go right ahead, because that just makes it easier.

The Acting Speaker: Would you address your remarks to the Chair.

Mr Mahoney: The government has brought in 14 time allocations. Let me give you an example, because I hear the yelling and everything about what our government did. During our three years in government, we brought in—

Mr Villeneuve: I thought it was five.

Mr Mahoney: No, it was three when we were the government when I was here. Let me speak from 1987 to 1990, when I was here. I wasn't here in 1985, unlike some of you guys. From 1987 to 1990, twice did we introduce time allocation.

Mr Stockwell: Twice?

Mr Mahoney: Twice.

Mr Stockwell: On what?

Mr Mahoney: On auto insurance. I remember the member for—what's his riding? Peter. He's never in here any more—Welland-Thorold standing up here, right here, for 17 hours reading the phone book. That was the level of his debate. He would stand here and say, "Madam Speaker, I have a complaint from Mr Jones on such-and-such a street in such-and-such a riding." He would simply read the phone book in people's ridings to try to determine the level of support, and he did 17 hours of uninterrupted filibuster to try to stop the bill, to try to stop the government from putting in place its legislation. It was only after suffering 17 hours of a filibuster, of nonsense, that we actually felt compelled to introduce time allocation.

We did it twice. These people have done it 14 times, and let me give you some examples. This debate may be, to some of the members who have spoken heretofore, a debate about Bill 91 and about agriculture, but the reality is that today's debate is a debate about government action, about style of governing, about the democratic process, about the fact that we in opposition have spoken against this labour bill, which is an assault on the family farm in the province, and as a result of being requested to ask, on behalf of farmers and people in this province, we asked the government to do the democratic thing and put this bill out into committee in the intersession.

Madam Speaker, you well know that's the way it's supposed to work around here. You introduce a bill, it gets debated, people talk about amendments, we get lobbied in our offices—whatever; we get phone calls, we get letters—we introduce suggestions to the government, we have a debate in this place under parliamentary procedure, and then the bill generally, if it's of any controversy whatsoever, goes out to committee.

And why does it do that? It goes to committee to allow the people to be informed. People don't live and die this stuff like we do around here. It might come as a shock to some of you to find out that in your own ridings you are not a household name. They don't know what you're doing, because they're busy trying to survive the recession, the economic downturn this province has experienced. They're trying to raise their families, to educate their kids. They're not busy saying: "What are they doing at Queen's Park today? I think I'll turn on the television and see what kind of bills they're ramming through today." They can't do that. Anybody who has a job often has two jobs to try to survive. If you have a husband and wife together, they're both working to try to survive. They don't know what's going on, and you can't expect them to know what's going on.

1710

Hence all these debates, that I refer to as kicks at the can. Think about it. Why do we have three readings of a bill? Technically the first reading is just to introduce the bill in principle and put it on the table for debate. We've only had a couple of instances where we've actually recorded votes on first readings. One was very recent, on

the same-sex legislation, Bill 167, but normally it's just introduced for debate. Then it's up to the House leader, after negotiating with the House leader of the official opposition, the member for Bruce, and with the House leader for the third party, the member for Parry Sound, and the whips involved and the staff, to sit down and negotiate what the order of business will be.

The reason you do that is to ensure that there's proper notification, to ensure that if an item is coming on, you have an opportunity to inform people around the province, in your constituency, that we're going to be debating a certain bill at a certain time and place and that amendments are going to be introduced. This is not new stuff. This is the way it's supposed to work. It's particularly supposed to work that way with bills of a controversial nature.

Mr Stockwell: Like this one.

Mr Mahoney: Well, this is controversial. The thing that's so puzzling to us is that we hear the Minister of Labour telling us he has a consensus on the bill. Why do we get all these phone calls? Do we make these up in the middle of the night? The farmers are calling our Agriculture critic saying: "I don't know where he gets this idea of consensus or who he's agreeing with, but he sure isn't agreeing with us. We sure don't agree with it."

I've talked to them at the OFA to find out what their position is. Their legal people are still working on the 11 points that were in dispute from the first go-round. Well, they haven't communicated that. If we had a chance to go to committee, I say to the Minister of Agriculture, or if you had the decency to read something you might have into the record and make a speech so that opposition members are privy to the same information you are, maybe we could deal with some things, maybe we could accomplish some things. But that doesn't happen.

Mr Stockwell: They're muzzling Elmer.

Mr Mahoney: It appears that Elmer's being muzzled, and I don't understand why. Well, I think I do. I think I understand why the Minister of Agriculture is not being allowed to address us on this matter. It's because this really isn't about farms. This is about labour. This is about debts that Bob Mackenzie owes to Gord Wilson. I don't know what else to think. I heard the question in the House today. I heard my colleagues the Agriculture critics ask, I heard the leader of the third party ask: "Who wants this bill? Name names." One name, I think, was the request. Is that unreasonable?

Mr Stockwell: Paul Klopp.

Mr Mahoney: Paul Klopp. One name other than an MPP might be nice. I don't understand why you wouldn't just stand up and do that. You could have shut up the leader of the third party with one name—

Hon Mr Mackenzie: Impossible.

Mr Mahoney: Well, maybe it is impossible, but you could have embarrassed him at least, which I wouldn't mind. I've been known to try to do that on occasion—

Mr Villeneuve: It's not working very well, is it?

Mr Mahoney: —sometimes with success and sometimes not.

Mr Villeneuve: But it's good publicity.

Mr Mahoney: You think it's good publicity. I'm glad. I'm glad you're happy with my work.

We believe this must simply be an attempt to give the Ontario Federation of Labour a new frontier to move into. If it isn't, then tell us who wants this and maybe it will satisfy us. But no, we can't get that answer, so it leaves us to look for hidden agendas. Why would we do that? We have immense faith and trust in this government. Why would we doubt them?

The Minister of Labour chuckles. We don't trust you because everything you've done since you've been elected has had a hidden agenda. Everything you've done has been to further the ideology, the dogma, that governs the New Democratic Party. It's not been for the benefit of the people of Ontario; otherwise you'd come clean and tell us who's asking you for this legislation.

That isn't the first bill we've asked that about. There are others where time allocation was brought in. My favourite, of course, the Minister of Labour will fondly recall, was the debate on Bill 80, which was a bill that required time allocation. Again, you have to ask yourself why. I asked the question to the Minister of Labour during that debate: Who is driving the ship here? Who wants this? It created such unhappy times within the construction unions, and I couldn't get an answer.

Oh, yes, we had some people come to committee. At least on that bill they allowed some committee hearings. At least there, there were opportunities, even though they shut it down and limited the time available in committee to the point where they attempted to stop me from being able to put my viewpoints across at committee. Several of the hearings on Bill 80 were taken up with the deputations, you have to give them their time, and there was not time for questions to be placed by either of the opposition critics. That was part of the modus operandi: "Shut down the opposition. We don't care what you think."

Interjection.

Mr Mahoney: What the member for Oxford may learn at some time in his life is that we are Her Majesty's loyal opposition.

Mr Sutherland: No kidding.

Mr Mahoney: It is our job, I say to the member, to point out—

Mr George Mammoliti (Yorkview): But do you have to yell?

Mr Mahoney: I have to yell because I can't seem to get anything through your thick skull.

The Acting Speaker: Order. I ask the member to be respectful of all members in this House. Please continue.

Mr Mahoney: If "thick skull" is not a respectful comment, I'll withdraw it.

Interjection.

Mr Mahoney: It may be. In any event, I can't seem to get the message through. What was the phrase I heard today—"labour-saturated brain"? Actually, it sounds fattening if you think about it.

Mr Murdoch: Is that a fathead? Are you saying it was a fathead?

Mr Mahoney: I don't know what that means. The reality is that your entire agenda has been driven—

Mr Murdoch: By fatheads.

Mr Mahoney: That is terrible. I wouldn't say such a thing.

The Acting Speaker: The member for Grey-Owen Sound, please allow the member to continue.

Mr Mahoney: It's been driven by a need to pay back and to expand horizons for organized labour. There should be a balance. The next government in this province is going to have an enormous job. Never mind the fiscal mess they're going to inherit, never mind the lack of confidence in the investment community that exists and permeates throughout the province, those are serious, serious problems, but the biggest problem in my estimation that the next government is going to have to deal with is to bring some form of calm, rational existence within labour-management relations.

The scale has been tilted so dramatically by this government, and they like it, there's no question. They have lived up to that part of the philosophy and the dogma. Labour bill after labour bill, amendment after amendment, sellout after sellout, payback after payback. Will it ever end? It will. It will end with the election of Lyn McLeod as the next Premier. We will then embark upon the mission of trying to bring some calm.

Mr Anthony Perruzza (Downsview): I was there today, Steve. I saw it too.

Mr Mahoney: We know that when we're in government, by the way, the Conservatives will be the official opposition. We actually are quite confident of that. We think you might wind up phoning Audrey to see if she still has any appointments she might be able to swing your way before she leaves town. So good luck to you.

Mr Murdoch: Goodbye.

Mr Mahoney: Goodbye is right.

Mr Stockwell: Don't be provocative.

Mr Mahoney: I'm not being provocative. I am really telling you what I hear in the community every day, everywhere I go in this province. What I hear all over this province is that the people are truly fed up with Bob Rae and Bob Mackenzie. They're fed up with the New Democrats, with their ideas, with their supposed vision of Ontario, with what they've done to this province. They're fed up with the damage they've caused in every single facet of life in Ontario. They want to get back to the days when they had opportunities for their sons and daughters, when they had jobs that were available, when they had opportunities to make investments. They want to get back to a sense of confidence with a balance.

1720

They don't want the Reform Party; I can tell you that. They don't want Preston Mike; I can tell you that. They don't believe in simplistic, simple-minded solutions. How many people around here want their taxes cut by 30%? All in favour? Absolutely. Perfect.

Mr Stockwell: How many people around here are in favour of same-sex legislation?

Mr Mahoney: I absolutely want my taxes cut by 30%.

Mr Stockwell: How many times will Lyn McLeod vote on this?

Mr Mahoney: You see, they're chirping about the same-sex legislation. If we didn't have this motion here today, we could indeed be debating that bill and we could be voting on that bill, because that's what the public's been waiting for. The member for Etobicoke West could join me in voting against that bill and defeating it, and Lyn would absolutely defeat it.

Mr Stockwell: What time is it?

Mr Mahoney: Our leader will help defeat it. So don't be making—

The Acting Speaker: Interjections are out of order.

Mr Mahoney: —up cockamamy statements about who stands where and on what position. But we can't even get to that legislation. You know, there's lots of things—

Mr Stockwell: Cockamamy?

Mr Mahoney: Cockamamy is just outside of S-D-G & East Grenville—Cockamamy, Ontario.

Mr Murdoch: Is it in Mississauga?

Mr Mahoney: Madam Speaker, they're being the provocateurs at the moment and I am trying to address the seriousness of the attack by this government on the democratic process. Let me get back to that.

I talked about Bill 80. They rammed that through. Remember Bill 4, which brought you rent control retroactively? Remember that? Not only did this government find it necessary to invoke closure on a new rent control bill, one that I went on committees around the province and people said: "Why are you doing this? Why are you trying to fix a problem in Sudbury or in London or in Parry Sound or in Hamilton because of a problem in downtown Toronto?"

We know the answer. We know that the housing activists who just recently helped jam through Bill 120 in this place were pulling the chains of the Housing minister and the Premier and the entire NDP. You couldn't get it through with any kind of consensus, so what did you do?

Mr Stockwell: Closure.

Mr Mahoney: Closure is the name of the game. Imagine invoking closure on a bill that was retroactive as well. It was retroactive. I mean, you guys have no shame. It's truly unbelievable. I don't know how you sleep at night. Some of you sleep in here; I wish more of you would sleep in here and stay asleep.

Then Bill 143—well, can you imagine? This wasn't a very important bill. This was only a bill—

Mr Stockwell: Dumps.

Mr Mahoney: —that dealt with dumps.

Mr Murdoch: Jim Wiseman, he knows about that bill.

Mr Mahoney: Mr Wiseman knows about it, whatever his riding. This was a bill on the environment that dealt with how we are going to manage our garbage, probably for the rest of our lives and maybe our kids' lives, and what did you do?

Mr Stockwell: Reduce, reuse, recycle and beat it.

Mr Mahoney: You couldn't get a consensus within the municipalities, you couldn't get a consensus within the environmentalists, you couldn't get a consensus within your own party.

Mr Stockwell: So what did you do?

Mr Mahoney: You brought in closure; the second time. It's the only—

The Acting Speaker: Order, the member for Etobicoke West, interjections are out of order.

Mr Mahoney: —way that this government is capable of governing. Then you went on to, of course, the mother of all bills in this place: Bill 40. The mother of all pieces of legislation, the number one paycheck. Thank you, Mr Rae, Mr Mackenzie, from Bob White, from Leo Gerard, from all the boys in the labour movement. They appreciate it.

You know, the rank and file are worried about their jobs. The rank and file are concerned about whether or not the plant they work for is going to be there on Monday morning to open up again. They don't care about your philosophy. The rank and file are going to boot your tails out of office.

Let me tell you, they've rejected you, they've cut off your funding—

The Acting Speaker: Would the member please take his seat. I would ask the member to respect the dignity of this House and continue his remarks. Thank you.

Mr Mahoney: Madam Speaker, you talk about respecting the dignity of this place. I wish this government would respect the dignity of democracy. That's what I wish.

You wonder why we get a little hot and a little angry in this place, and perhaps a little bit unparliamentary? People ask me, "Why do you guys shout and yell at each other so much?" When we see them jamming legislation down our throats, when our job is to defend the people who can't defend themselves because you shut it down, you wonder why we get a little angry and a little passionate about this job? This government has no respect for the Ontario Legislature, and it has less respect for the people of this province, or they would not continually use closure as a tool to ram their ideas down our throats.

Bill 40, if I could go back to where I was, was a bill where they used this particular legislative tool. It was the only way they could get it done.

To one of the View Brothers, what are you twirling?

Then we go on: We had Bill 150.

Then we had one that was interesting. Imagine this: the advocacy package. This wasn't one bill that closure was put on; this was Bills 74, 108, 109 and 110, all in one closure motion. Unbelievable.

Mr Stockwell: More amendments than sections.

Mr Mahoney: More amendments than sections, the member for Etobicoke West tells me. Imagine. We've got four bills: advocacy. People concerned about health care. People concerned about their loved ones. People concerned about access to health care and taking care of their family and who makes decisions in troubled times. And what do you do? You invoke closure.

The people honestly don't understand what it's all about, but what it is about is that when this government runs out of patience, it simply decides it's going to slam the door shut. They don't care who has had an opportunity to talk. That's what they're doing on this bill today, on Bill 91. They're saying to the farmers out there: "Look, we've heard all this stuff. We had a couple of groups together."

They had a task force. Here's the task force: comprised of three representatives from the agricultural community—I presume they'd be farmers—two representatives from organized labour, one representative from farm workers, and two staff. Imagine that: a bill that will ultimately affect the quality of life for the farm workers and they set up a task force and they appoint one representative of the farm workers to sit on the task force and two from organized labour. What does that tell you?

Mr Stockwell: Union.

Mr Mahoney: And two staff. I wonder if those staff were NDP. What do you think?

Mr Stockwell: I think so.

The Deputy Speaker: The member for Mississauga West, address the Chair.

Mr Mahoney: Do you think, Mr Speaker, that the staff who were on that might have taken their marching orders from the Minister of Labour or the Minister—is there a modicum of chance? I think they were. So here you've got one poor farm worker representative sitting there going: "Whoa. What are you trying to do to me? What are trying to organize the farm for?" Then you've got all these organized labour guys and the staff people from the government.

There's a book out called *Winning by Intimidation*. That's what it's called. What you do, in winning by intimidation, is that if you're going in to make a presentation, you find out how many people are going to be there who you're presenting to, and then you bring twice as many on your side—

Mr Stockwell: And then you beat them up.

Mr Mahoney: And you just beat them up. That's what this government believes in: winning by intimidation.

Then, of course, they had already done one retroactive Rent Control Act, and in 1992, just to show they weren't finished sticking it to the landlords in this province, they decided to do another one and they introduced Bill 121 on rent control. Again, closure. Again, retroactive. Real democracy. Real fairness.

Then, of course, regulated health professions.

1730

Ah, here's the bill we all really loved: Bill 8. Bill 8 introduced casino gambling in this place. Imagine, Bob Rae's Ontario with casinos all over the place. It's really quite interesting. It's quite phenomenal when we look back in Hansard and we go, "No, that couldn't have been Bob Rae saying those things."

Remember when he was against Lottario?

Mr Stockwell: Yes, it was a tax on the poor.

Mr Mahoney: It was a tax on the poor. Imagine.

"Oh, my God, a tax on the poor. Their lives are going to fall apart. Their kids are going to go out and rob corner stores because they're buying lottery tickets."

Now, it's ba-boom, ba-boom, put your quarter in a slot machine and you'll get a picture of Bob Rae and probably a little music coming back and you might even make a few bucks down in Windsor. What do you think?

Mr Stockwell: Sure.

Mr Mahoney: That's where we are. Mr Speaker, I can't help it. They draw me in, you know.

That was Bill 8, but aside from the issue itself, which received very little discussion in this place or in this province, the only way the government could pass it was to put in closure once again. That was Bill 8.

Mr Stockwell: Read them all.

Mr Mahoney: I told you about Bill 80. Here's one you're going to love. Here's how we're going to solve the crisis of getting photographs on health cards. They brought in Bill 47, photo-radar. Now they're going to use the photo-radar to snap your picture as you're going by and they'll put it on your health card. I think it's perfect. This is called government efficiency. This is called eliminating duplication. "We're going to use photo-radar to take your picture, yes, sir, and \$66 million will roll in to the Finance minister's coffers as a result of that". Again, closure. Social contract, closure; auto insurance, closure; Ottawa-Carleton; agriculture labour we're dealing with—all closure. These people don't know what the word "democracy" means.

The Deputy Speaker: The member's time has expired. Questions or comments?

Mr Villeneuve: Just in the short time that I have in response to the member from Etobicoke—for Mississauga West. They're a little bit the same, Etobicoke and Mississauga West, but the member from Etobicoke is much more articulate.

It's a crying shame that we have closure brought in here. Back in the days when the NDP was in opposition, the word "closure" was a terrible word. Now they call it "time allocation," but what's happening here is that these are the amendments and they will be dealt with in a very limited time so that no one will have any input on whatever is coming through in Bill 91.

It's of great concern because, I've got to re-emphasize—and I know the member for Mississauga West didn't look at the heading—that the preamble says, "It is in the public interest to extend collective bargaining rights to employees and employers in the agriculture and horticulture industries."

Where in the world did they get this? It makes no sense. This is in the preamble, leave alone the 28 pages of amendments that have to be dealt with under time allocation, under a very, very non-democratic method of operation. The agricultural community is being told: "We know what's good for you. Big Brother in Toronto is in charge."

There is a story about the animal farm where, all of a sudden, the animals become in charge and take over the farm. The animals are somewhere within the Ministry of Labour and they will have taken over the farm. I hope

that the good folks from the Ministry of Labour realize what happens when you're subject to the whims of nature, the whims of the weather and the whims of bureaucrats, and the last are by far the worst.

Mr Sutherland: It's interesting listening to the theatrics of the member for Mississauga West as he goes on and on in his very sanctimonious way and tries to give us lessons on democracy. The member knows that not all bills go out for formal public hearings. There are many bills that get passed in here, many controversial bills, that don't go out for hearings.

But the question I want to raise, and also to the member for S-D-G & East Grenville, is, why is it that just about every other province in this country allows farm workers to unionize? Why is it that Alberta is the only province? You know what? Many other provinces have never had NDP governments. Liberal governments and Conservative governments have allowed farm workers the right to organize.

The member for S-D-G & East Grenville almost implied that every farm's going to be unionized. He was almost red-baiting with his comments, with the reference to Animal Farm. But if we look at the track record, that isn't the case: On average, it's between 3% and 5% in the other provinces. They're trying to imply that there are union organizers behind every bush, on every farm, ready to pounce as soon as this legislation passes. The track record doesn't support what is being said by the members of the opposition and the member for Mississauga West.

It's very unfortunate, because I know the member for Mississauga West knows a lot about labour history and labour background, and it's very unfortunate to listen to such an anti-labour stance coming from a Liberal Labour critic. He wanted to hide what he said, but if you're reading between the lines, it came out very clear that the Liberal Party has moved to an anti-labour stance. He's sounding more like Mitch Hepburn when he should go back and try to sound like David Croll, who stood up for labour in the Liberal Party at one time.

Mr Stockwell: The point the member for Mississauga West was trying to make, and I don't think it was necessarily lost, is the democratic process. What it says when 14 bills have to have closure moved is that the government really isn't finding tremendous success in this place or outside this place when it has to move closure on 14 separate bills.

You can see some of the bills they offer, Bill 80, Bill 40, this piece of legislation, but when you go through the list of casino gambling and photo-radar and those kinds of issues, as well as today's—this I don't think was spoken about during the election—it causes concern not just to the people who are affected by a piece of legislation, but all those pieces of legislation that came before you.

Opportunity for public, open debate wasn't there. Opportunity for committee hearings wasn't there. Opportunities for people like yourself to come forward and tell a government what you think about a piece of legislation weren't there.

What's democratic about that? What's fair about that?

Why is it that you say to me this is a fair process to go through, it's equal and up front, when people in this province don't get a chance to tell you what they think? What is more fundamentally democratic than that? For heaven's sake, if you can't let the people comment on your legislation, then I say your legislation will not stand the test, and that test will ultimately be an election.

If you are frightened to hear from them at committees, then you're going to be very frightened to hear from them at election time. The good people of this province, some who are here today, have every right to tell this minister and this government what they think about the legislation, and if you can't give them that right, like today, then they will let that message ring loud and clear when your Premier finally has the guts to go back to the people.

Hon David Christopherson (Solicitor General and Minister of Correctional Services): Talk about the issues. Never mind the rhetoric.

Mr Stockwell: You're the biggest hypocrite I've ever seen.

The Deputy Speaker: Order. The member for Etobicoke West, order, I ask you to withdraw that remark.

Mr Stockwell: I withdraw that, Mr Speaker. I withdraw the remark.

The Deputy Speaker: Questions and comments?

Mr Perruzza: Just a two-minute response to some of the comments made by the member from Mississauga. I've sat here almost nearly four years and I've listened to the member from Mississauga speak on a number of occasions. I have to tell you, each and every time, you see he's a comical speaker and all the rest of it, but he has never once offered a millimetre of concrete advice on how to deal with some of the real, harsh, substantial problems in the province of Ontario.

He makes fun of the government's policy about where to take garbage. Well, garbage is a serious problem. It may not be for the member from Mississauga, because he takes it out to the curbside and then he doesn't have to worry about it ever again. It doesn't matter to him whether there's a mine up somewhere in Kirkland Lake or that we find a mountain in BC and we fly it out to BC and dump it on the mountain. But somebody has to make a real, hard, substantial, decisive, concrete, cost-effective, reflective decision about where you put it and where you dispose of it, and I think this government has done that.

1740

He mocks Bill 40 and he mocks the whole idea of what we pay and the kinds of rights that employees across the province have. It doesn't matter to him that there are some people out there making \$4 an hour, \$5 an hour, \$6 an hour, who can't make ends meet, don't have a job. It doesn't matter to him. He can mock the entire process and mock Bill 40 and say: "Look at what they did. They allowed some workers to have some rights. What a God-awful shame that was." But he doesn't talk about the real people involved and the real decisions involved, and I hope that windbag over there—

The Deputy Speaker: Your time has expired. Order.

Interjections.

The Deputy Speaker: Take your seat. The member for Downsview.

Interjection: Kick him out, Mr Speaker.

Mr Mammoliti: But Mahoney was asking for it, Mr Speaker.

Mr Mahoney: I don't think I can recover.

The Deputy Speaker: The member for Mississauga West, a little respect for the House, please. The member for Mississauga West, you have two minutes to reply.

Mr Mahoney: Only two minutes. It's interesting to me how when you say things about the government and when you say things about the process this government puts in place, invoking closure and time allocation all the time, their response is personal attacks. That just rolls off the back, and I just consider the source.

I also find it quite fascinating when I hear members opposite, both during their response and in their chirping, invoke memories of my late father and my labour background and the fact that they can't quite believe the things I say. Well, let me tell you, I grew up with Bill Mahoney, vice-president of the Canadian Labour Congress and national director of the Steelworkers of America, a very proud trade union man and a terrific man in that; with people like Larry Sefton; with people like Johnny Barker. These are real, true labour people, who would find it very difficult to tolerate the nonsense you people have foisted not only on the people of this province but specifically on the labour movement. So don't talk to me about my labour history. I'll match it beside any one of you, any time, any place, any day, let me tell you.

Let me tell you also, when I talk to somebody like Shirley Carr, a very wonderful woman who has a great history in this province, who tries to understand where you're coming from with a bill like Bill 80—don't tell me our party's anti-labour. Let me tell you what we are. We're anti-NDP, through and through. We're anti the nonsense you people keep introducing that hurts this economy. That's who we're against. The rank and file know. The rank and file understand. You don't.

Mr Mammoliti: With better makeup, you could become a clown.

The Deputy Speaker: The member for Yorkview.

Mr Mahoney: Oh, George, stop it. You're really hurting.

The Deputy Speaker: I hope the next speaker will be a little more calm. The member for Grey-Owen Sound.

Mr Murdoch: I will try to be a little calmer than my farmer friend from Mississauga, but we'll see what happens.

Here we are again—what is this? The 14th time we've had bill closure, 14 times. They call themselves the democratic party—bill closure. I wonder when you're going to take the "democratic" out of your party name. You've got to get rid of that word, guys. It doesn't suit you any longer.

I thought for a while maybe our Minister of Agriculture did have some democracy in him, but after this

we've seen he's fallen short too. He did have some friends out in the country, but I guess he didn't like having friends, so now he's got rid of them. He brought in Bill 91. He said: "I want to be like all the other ministers in this House. I don't want anybody to like me either. I'm going to do something about that." We heard him speak quite eloquently yesterday and he managed to hang himself very well. "Bill 91 will do it for me. I won't want any friends. I want to be like the rest of the buddies I've got over here." Now he says: "Nobody likes me."

What a way to be. I thought he was a good guy, and then he brings in 91 and tries to tell us there are farmers out there who like this. Our leader asked you today to name one, and nobody over there who could figure out who one was. Maybe the Minister of Agriculture's going to go into farming on his own, I don't know, and maybe he'll be the farmer who likes this bill. I'm not sure about that. I know we have supposedly a farmer from Huron, but we're not sure whether he likes this bill or not either. I see he's not in the House to tell us, and he disappeared with all this talking was going on. I haven't heard him speak on Bill 91 either.

Interjection.

Mr Murdoch: Yes, he's trying to get me to shut up. No, we won't do that.

So here we are again debating a bill to cut off debate. This seems to be one of the serious things you guys have had. This is your biggest bill you've ever brought through—14 of them, and I guess you won all 14. That ought to be a pretty good notch in your gun, won't it? You can tell all your people back home: "We killed 14 bills by bringing in debate that there would be no more debate. We're a democratic government, though." That will be fun when you try to tell people about that.

Now we go back to, why is this bill here? Again, the government says, "Well, the farmers want it." Then again, we can't find those farmers who want it.

So we wonder why they brought this bill in. I guess it was to feed Bob Mackenzie's ego. He had to get another labour bill in. He'd only gotten one in through four years, and it was a disaster, so he said, "Maybe we'd better try another one. Let's get all the farmers unionized, and then we can get more money into our coffers." Isn't that right, that each union pays a little bit into the NDP? Is that a little bit behind this? Maybe you have to fund your campaigns—

Hon Mr Buchanan: Not any more.

Mr Murdoch: The Minister of Agriculture hollers over, "Not any more." I can believe that. Even those friends you've lost.

Hon Mr Buchanan: Treat everybody equally.

Mr Murdoch: He says he treats everybody equally. I agree with him; they crap on everybody. There's no doubt.

I talked to one of the members over there; I won't mention his riding, but this is some time ago and we asked him, would there be an election this fall? He said, "No way, there are still a few people who like us out there." I didn't quite believe him on that, but I guess he

was right, because I think there were some farmers who used to like the Minister of Agriculture. What happened? He said, "Well, we better get that."

So maybe you're going to call an election this fall. You're certainly getting ready for it. There's nobody left out there to vote for you, and now you tell us that they're not paying into your coffers. That's unfortunate too.

Interjection: Is it?

Mr Murdoch: We'd like them around to get a few votes. But unfortunately I don't think they're going to be here. They're going to be wiped off the map.

They keep bringing in these silly bills. I mean, what is wrong with you?

Then we get a bill in here—okay, that's fine. You have the right to do that as a government. But then when you get upset with us because we ask you a few questions: "Well, we're going to close off debate. We're not going to let you talk about it any longer." You won't even take it out to committee.

Hon David S. Cooke (Minister of Education and Training): Listen to the speech and you will understand why.

Mr Murdoch: The member from Windsor, Mr Cooke, has something to say, and maybe after I'm done he'll get a chance to speak on this. But I doubt it, because they brought in closure. They wouldn't want to set him loose because he would be able to talk quite a bit about farming, I'm sure. He seems to understand nearly everything else, so I'm sure he's a great farmer. At least he lets on that he does.

So anyway, we get a bill in here and we want to debate it. We've had 14 of them and you've said, "No way. You're not going to debate this." Then the worst part is: "We're not going to let anybody else in the country debate it either. We're not going to send it out to committee. No way. We might find out we were wrong."

Boy, that would be dangerous, wouldn't it? Somebody might tell you it's wrong.

Interjection.

Mr Murdoch: Now we have another minister trying to tell us—I guess they're coming in. There must be a vote coming, because I see they're finally coming into the House and now they're trying to get into the debate. Maybe you'd like to reconsider this motion, Minister. I see a lot of your members are starting to chirp up. Maybe they'd like to speak on this debate.

They have a few members in the House now, and maybe they will talk after this. Maybe tomorrow we'll have to talk on this bill some more. Or maybe they'll find another bill they don't want us to speak on and bring in another closure motion. Who knows with these guys? There's no consideration for anybody else but yourselves. You don't understand democracy.

Mr Mammoliti: Hurry up. Stop being—

Mr Murdoch: Now the member from Pizzaville wants me to be quiet. He doesn't even want us to debate it on closure. This is even worse than bringing in closure. So it is really—

Mr Mammoliti: On a point of order, Mr Speaker: I

would ask the member to withdraw the remark that he had made. I would say it's unparliamentary, "Pizzaville." I'm hoping he's not referring to me. I'd be really disappointed if—

The Deputy Speaker: Thank you. Please take your chair. I must admit that with the noise, I was not able to detect quite clearly what he said, but I know that if the member did say something wrong, he will correct himself.

1750

Mr Murdoch: Yes, if I offended the member. I'll withdraw that if the member's offended. Okay? Just to point out, Mr Speaker, if that member was talking out of turn, then I wouldn't have had to say anything. Maybe he's guilty himself and maybe, Mr Speaker, you could have mentioned something to him that he was out of place.

Mr Mammoliti: It's no excuse to be a bigot, Mr Speaker. No excuse at all.

Mr Murdoch: Oh, now he called me a bigot, Mr Speaker. Maybe I would like you to ask him to withdraw those comments.

The Deputy Speaker: You're making it extremely difficult for the Chair to control the debate. The member for Yorkview, please, you know the word that you said. It's quite offensive. I would not accept the word myself. I would ask you to withdraw that word.

Mr Mammoliti: No, I'm not withdrawing it, Mr Speaker.

The Deputy Speaker: Would you please remove the member from the House.

Mr Mammoliti: He called me a name.

The Deputy Speaker: I name you to please leave the House, Mr Mammoliti.

Mr Mammoliti left the chamber.

Mr Murdoch: I've been led to believe that some of our House leaders have made a deal that we would let the Minister of Agriculture speak on this topic, as he has not to this date. Being that there is not a lot of time left in the House, I will just say it is unfortunate that this government is ramming this bill down the throats of the farmers without any consultation and it's typical of what they've been doing. Mr Speaker, with that, I will give up the rest of my time so that the Minister of Agriculture can give a few remarks.

Hon Mr Buchanan: First of all, let me say I appreciate the opportunity to say a few words, so I therefore appreciate the member for Grey-Owen Sound not taking the rest of the time, because I know there are only a few minutes left.

There are a few comments I wanted to put on the record. The first one is that I wanted to welcome the member for S-D-G & East Grenville back to the House and we're very pleased that he's able to be back with us.

A few things that were said earlier today I want to comment on and then I want to talk very quickly about some of the fundamental issues around the bill. First of all, I heard the member for Mississauga West talk about our government leaving the province in a financial mess.

I seem to recall that when we took over the books, they were less than wonderful. They couldn't tell the difference between a surplus and a deficit. We're very able and very capable of telling the people what the deficit is. We at least have that much straight. The member for Mississauga West, I think, was out of line.

I listened to the member for Simcoe East earlier talk about closure and time allocation and the number of times that we have used that mechanism. The member for Simcoe East should take a look at what goes on in the House of Commons in Ottawa. In fact, the former Conservative government used time allocation with almost every bill that was brought forward. They time-allocated the bills as they went—

Hon Mr Cooke: With no debate on the motion.

Hon Mr Buchanan: —and there was no debate on the motion at all. We still adhere to the traditions of democracy.

Another member made a comment earlier, the member for Etobicoke West, who I guess has left us. He was talking about having this bill go to committee, and yet yesterday or the day before yesterday he talked about having ideas for bills discussed among the interested parties before bringing the bill in. That's what this bill is all about. The parties who are concerned about this bill sat down for over a year and worked out what an agricultural bill should look like. Labour and agricultural groups sat down and worked through what this bill should be. That was put together on a consensus basis.

This is almost a first, that we had agricultural people and labour unions sit down and work out the details of a bill. When the bill was introduced, they went out and got a legal opinion that said there needed to be some changes. They also went back to work on amendments, and those amendments have been brought here to this House and will be dealt with in committee of the whole. They reflect a consensus between farmers and labour unions.

I think it's important that everybody understand that the politicians in this House, despite all their huffing and puffing about what this will do to the family farm or who wants it, should take note of the fact that this was put together with farmers and unions. It reflects that consensus, and I don't think there's any point in us trying to make it better. The people who have designed it made it as good as they could and it reflects what they want.

In the last minute or two, I have a letter that I would like to read, which should take me about a minute. It's addressed to the Honourable Bob Mackenzie. It says:

"Dear Minister:

"The Ontario agricultural organizations' Labour Issues Coordinating Committee...has been following closely the deliberations of the Agricultural Labour Management Advisory Committee...since its first meeting February 7, 1994.

"The LICC had an opportunity on April 7, 1994, to review a draft of ALMAC's report on issues related to the Agricultural Labour Relations Act, 1993.

"The LICC was encouraged to see that once again the tripartite consensus process had successfully resolved a

number of difficult issues. The good faith, diligence and thoughtfulness that all participants brought to the ALMAC's discussions should be recognized and applauded. The success of the consensus process and the durability of the parties' commitments augur well for the future of labour relations in this sector.

"The draft report addresses the majority of concerns raised in the critique of Bill 91 that LICC forwarded to your attention on November 1993. ALMAC's recommendations build upon the work of the previous Agricultural Labour Relations Task Force and, if successfully translated into legislative form, would establish a satisfactorily separate and effective labour relations framework for the agricultural industry. The LICC recommends the ALMAC report to the government's attention.

"The LICC is looking forward to the improved legislation and is willing to contribute whatever advice or information that might be helpful to the next steps in the process. The ALMAC co-chairs encourage LICC to forward any suggestions it might have on drafting issues and this will be done shortly.

"On the LICC's behalf, I want to thank you and your staff for their cooperation and hard work on this issue."

This is signed, "Yours truly, Grant Smith," who is chair of the Labour Issues Coordinating Committee.

That says it all. This letter was forwarded to both opposition parties and to the critics of Agriculture and Labour, and it does show that there's consensus. There are good amendments here and I think we should move forward. There's no point in talking about this any longer. Let's get on with it and do it.

The Deputy Speaker: Mr Mackenzie has moved government notice of motion number 30. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 15-minute bell.

The division bells rang from 1758 to 1813.

The Deputy Speaker: All those in favour of the motion will please rise one at a time.

Ayes

Abel, Akande, Allen, Bisson, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Duignan, Fletcher, Frankford, Grier, Haack, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Marchese, Martel, Martin, Mathysen, Mills, Murdock (Sudbury), O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rae, Rizzo, Silipo, Sutherland, Ward, Wark-Martyn, Waters, Wessenger, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziembra.

The Deputy Speaker: All those opposed will please rise one at time.

Nays

Arnott, Bradley, Brown, Chiarelli, Cleary, Conway, Cousens, Crozier, Curling, Daigeler, Eddy, Elston, Eves, Fawcett, Grandmaitre, Harnick, Harris, Hodgson, Jackson, Johnson (Don Mills), Jordan, Mahoney, Marland, McGuinty, McLean, Miclash, Murdoch (Grey-Owen Sound), Murphy, North, Offer, O'Neil (Quinte), O'Neill (Ottawa-Ridau), Poirier, Poole, Runciman, Sola, Sterling, Stockwell, Sullivan, Turnbull, Villeneuve.

The Deputy Speaker: The ayes are 61; the nays are 41. I declare the motion carried.

It being past 6 of the clock, this House stands adjourned until 10 of the clock tomorrow morning.

The House adjourned at 1815.

ERRATA

No.	Page	Column	Line	Should read:
138	6645	2	18	As I said before, 10,000 soldiers lost their lives, but the
	6662	2	26	EN CE QUI A TRAIT AUX PRATIQUES DE GESTION

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux: Alex D. McFedries

Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités: Deborah Deller

Sergeant at Arms/Sergent d'armes: Thomas Stelling

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma	Wildman, Hon/L'hon Bud (ND) Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Énergie, ministre délégué aux Affaires autochtones	Grey-Owen Sound	Murdoch, Bill (PC)
Algoma-Manitoulin	Brown, Michael A. (L)	Guelph	Fletcher, Derek (ND)
Beaches-Woodbine	Lankin, Hon/L'hon Frances (ND) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce	Halton Centre/-Centre	Sullivan, Barbara (L)
Brampton North/-Nord	McClelland, Carman (L)	Halton North/-Nord	Duignan, Noel (ND)
Brampton South/-Sud	Callahan, Robert V. (L)	Hamilton Centre/-Centre	Christopherson, Hon/ L'hon David (ND) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Brant-Haldimand	Eddy, Ron (L)	Hamilton East/-Est	Mackenzie, Hon/L'hon Bob (ND) Minister of Labour / ministre du Travail
Brantford	Ward, Hon/L'hon Brad (ND) Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances	Hamilton Mountain	Charlton, Hon/L'hon Brian A. (ND) Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et ministre délégué à l'Assurance-automobile
Bruce	Elston, Murray J. (L)		Allen, Hon/L'hon Richard (ND) Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce
Burlington South/-Sud	Jackson, Cameron (PC)	Hamilton West/-Ouest	Buchanan, Hon/L'hon Elmer (ND) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Cambridge	Farnan, Hon/L'hon Mike (ND) Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation	Hastings-Peterborough	Ziembra, Hon/L'hon Elaine (ND) Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Carleton	Sterling, Norman W. (PC)	High Park-Swansea	Klopp, Paul (ND)
Carleton East/-Est	Morin, Gilles E. (L)		Miclash, Frank (L)
Chatham-Kent	Hope, Randy R. (ND)	Huron	Wilson, Gary (ND)
Cochrane North/-Nord	Wood, Len (ND)	Kenora	
Cochrane South/-Sud	Bisson, Gilles (ND)	Kingston and The Islands / Kingston et Les Îles	Ferguson, Will (Ind)
Cornwall	Cleary, John C. (L)	Kitchener	Cooper, Mike (ND)
Don Mills	Johnson, David (PC)	Kitchener-Wilmot	Pouliot, Hon/L'hon Gilles (ND) Minister of Transportation, minister responsible for francophone affairs / ministre des Transports, ministre délégué aux Affaires francophones
Dovercourt	Silipo, Hon/L'hon Tony (ND) Minister of Community and Social Services / ministre des Services sociaux et communautaires	Lake Nipigon/Lac-Nipigon	MacKinnon, Ellen (ND)
Downsview	Perruzza, Anthony (ND)	Lambton	Jordan, Leo (PC)
Dufferin-Peel	Tilson, David (PC)	Lanark-Renfrew	Cordiano, Joseph (L)
Durham Centre/-Centre	White, Drummond (ND)	Lawrence	Runciman, Robert W. (PC)
Durham East/-Est	Mills, Gordon (ND)	Leeds-Grenville	Hansen, Ron (ND)
Durham West/-Ouest	Wiseman, Jim (ND)	Lincoln	Boyd, Hon/L'hon Marion (ND) Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
Durham-York	O'Connor, Larry (ND)	London Centre/-Centre	Cunningham, Dianne (PC)
Eglinton	Poole, Dianne (L)		Wininger, David (ND)
Elgin	North, Peter (Ind)	London North/-Nord	Cousens, W. Donald (PC)
Essex-Kent	Hayes, Pat (ND)	London South/-Sud	Mathysen, Irene (ND)
Essex South/-Sud	Crozier, Bruce (L)	Markham	Sola, John (Ind)
Etobicoke-Humber	Henderson, D. James (L)	Middlesex	Offer, Steven (L)
Etobicoke-Lakeshore	Grier, Hon/L'hon Ruth (ND) Minister of Health / ministre de la Santé	Mississauga East/-Est	Mariand, Margaret (PC)
Etobicoke-Rexdale	Philip, Hon/L'hon Ed (ND) Minister of Municipal Affairs, minister responsible for the office for the greater Toronto area / ministre des Affaires municipales, ministre responsable du Bureau de la région du grand Toronto	Mississauga North/-Nord	
Etobicoke West/-Ouest	Stockwell, Chris (PC)	Mississauga South/-Sud	
Fort William	McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition		
Fort York	Marchese, Rosario (ND)		
Frontenac-Addington	Wilson, Hon/L'hon Fred (ND) Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga West/-Ouest	Mahoney, Steven W. (L)	St Andrew-St Patrick	Akande, Zanana L. (ND)
Muskoka-Georgian Bay	Waters, Daniel (ND)	St Catharines	Bradley, James J. (L)
Nepean	Daigeler, Hans (L)	St Catharines-Brock	Haeck, Christel (ND)
Niagara Falls	Harrington, Margaret H. (ND)	St George-St David	Murphy, Tim (L)
Niagara South/-Sud	Coppen, Hon/L'hon Shirley (ND) Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs	Sarnia	Huget, Bob (ND)
	Laughren, Hon/L'hon Floyd (ND) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony (ND)
Nickel Belt	Harris, Michael D. (PC)	Scarborough-Agincourt	Phillips, Gerry (L)
	Jamison, Norm (ND)	Scarborough Centre/-Centre	Owens, Stephen (ND)
Nipissing	Fawcett, Joan M. (L)	Scarborough East/-Est	Frankford, Robert (ND)
Norfolk	Carr, Gary (PC)	Scarborough-Ellesmere	Warner, Hon/L'hon David (ND) Speaker / Président
Northumberland	Rizzo, Tony (ND)		Curling, Alvin (L)
Oakville South/-Sud	Caplan, Elinor (L)	Scarborough North/-Nord	Swarbrick, Hon/L'hon Anne (ND) Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Oakwood	Pilkey, Hon/L'hon Allan (ND) Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales	Scarborough West/-Ouest	
Oriole	Gigantes, Hon/L'hon Evelyn (ND) Minister of Housing / ministre du Logement		Wessinger, Paul (ND)
Oshawa	Grandmaître, Bernard (L)	Simcoe Centre/-Centre	McLean, Allan K. (PC)
	O'Neill, Yvonne (L)	Simcoe East/-Est	Wilson, Jim (PC)
Ottawa Centre/-Centre	McGuinty, Dalton (L)	Simcoe West/-Ouest	Murdock, Sharon (ND)
	Chiarelli, Robert (L)	Sudbury	Martel, Hon/L'hon Shelley (ND) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Ottawa East/-Est	Sutherland, Kimble (ND)	Sudbury East/-Est	
Ottawa-Rideau	Ruprecht, Tony (L)		Timiskaming
Ottawa South/-Sud	Eves, Ernie L. (PC)	Victoria-Haliburton	
Ottawa West/-Ouest	Haslam, Karen (ND)	Waterloo North/-Nord	Hodgson, Chris (PC)
Oxford	Carter, Jenny (ND)	Welland-Thorold	Witmer, Elizabeth (PC)
Parkdale	Wark-Martyn, Hon/L'hon Shelley (ND) Minister without Portfolio, Ministry of Health / ministre sans portefeuille, ministère de la Santé	Wellington	Kormos, Peter (ND)
Parry Sound	Poirier, Jean (L)	Wentworth East/-Est	Arnott, Ted (PC)
Perth		Wentworth North/-Nord	Morrow, Mark (ND)
Peterborough		Willowdale	Abel, Donald (ND)
Port Arthur		Wilson Heights	Harnick, Charles (PC)
		Windsor-Riverside	Kwinter, Monte (L)
Prescott and Russell / Prescott et Russell	Johnson, Paul R. (ND)		Cooke, Hon/L'hon David S. (ND) Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main-d'œuvre
Prince Edward-Lennox-South Hastings/ Prince Edward-Lennox-Hastings-Sud		Windsor-Sandwich	Dadamo, George (ND)
Quinte	O'Neil, Hugh (L)	Windsor-Walkerville	Lessard, Wayne (ND)
Rainy River	Hampton, Hon/L'hon Howard (ND) Minister of Natural Resources / ministre des Richesses naturelles	York Centre/-Centre	Sorbara, Gregory S. (L)
	Conway, Sean G. (L)	York East/-Est	Malkowski, Gary (ND)
Renfrew North/-Nord	Churley, Hon/L'hon Marilyn (ND) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	York Mills	Turnbull, David (PC)
Riverdale	Villeneuve, Noble (PC)	York-Mackenzie	Beer, Charles (L)
		York South/-Sud	Rae, Hon/L'hon Bob (ND) Premier, President of the Executive Council, Minister of Inter-governmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
S-D-G & East Grenville / S-D-G et Grenville-Est		Yorkview	Mammoliti, George (ND)

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

Administration of justice/Administration de la justice

Chair/Président: Rosario Marchese
Vice-Chair/Vice-Présidente: Margaret H. Harrington
Zanana L. Akande, Gilles Bisson, Robert Chiarelli,
Alvin Curling, Christel Haeck, Charles Harnick,
Gary Malkowski, Tim Murphy, David Tilson,
David Winger
Clerk/Greffière: Donna Bryce

Estimates/Budgets des dépenses

Chair/Président: Cameron Jackson
Vice-Chair/Vice-Président: Ted Arnott
Donald Abel, Gary Carr, Noel Duignan, Murray J. Elston,
Derek Fletcher, Pat Hayes, Wayne Lessard,
Steven W. Mahoney, David Ramsay, Jim Wiseman
Clerk/Greffière: Tonia Grannum

Finance and economic affairs/

Finances et affaires économiques

Chair/Président: Paul R. Johnson
Vice-Chair/Vice-Président: Jim Wiseman
Elinor Caplan, Gary Carr, W. Donald Cousens,
Karen Haslam, Norm Jamison, Monte Kwinter,
Wayne Lessard, Irene Mathysen, Gerry Phillips,
Kimble Sutherland
Clerk/Greffière: Lynn Mellor

General government/Affaires gouvernementales

Chair/Président: Michael A. Brown
Vice-Chair/Vice-Président: Hans Daigeler
Ted Arnott, George Dadamo, Bernard Grandmaître,
David Johnson, George Mammoliti, Gordon Mills,
Mark Morrow, Gregory S. Sorbara, Paul Wessinger,
Drummond White
Clerk/Greffier: Franco Carrozza

Government agencies/Organismes gouvernementaux

Chair/Présidente: Margaret Marland
Vice-Chair/Vice-Président: Allan K. McLean
James J. Bradley, Jenny Carter, John C. Cleary,
Alvin Curling, Robert Frankford, Margaret H. Harrington,
Gary Malkowski, George Mammoliti, Daniel Waters,
Elizabeth Witmer
Clerk/Greffière: Lynn Mellor

Legislative Assembly/Assemblée législative

Chair/Président: Ron Hansen
Vice-Chair/Vice-Président: Paul Wessinger
George Dadamo, Paul R. Johnson, Ellen MacKinnon,
Irene Mathysen, Carman McClelland, Gilles E. Morin,
Norman W. Sterling, Barbara Sullivan, Kimble Sutherland,
Noble Villeneuve
Clerk/Greffière: Lisa Freedman

Ombudsman

Chair/Président: Tony Rizzo
Vice-Chair/Vice-Président: Gary Wilson
Donald Abel, Zanana L. Akande, Mike Cooper,
Karen Haslam, D. James Henderson, Tony Martin,
Frank Miclash, Bill Murdoch, David Ramsay,
Chris Stockwell
Clerk/Greffier: Todd Decker

Public accounts/Comptes publics

Chair/Président: Joseph Cordiano
Vice-Chair/Vice-Présidente: Dianne Poole
Gilles Bisson, Robert V. Callahan, Bruce Crozier,
Robert Frankford, Rosario Marchese, Margaret Marland,
Larry O'Connor, Stephen Owens, Anthony Perruzza,
David Tilson
Clerk/Greffier: Todd Decker

Regulations and private bills/

Règlements et projets de loi privés

Chair/Présidente: Christel Haeck
Vice-Chair/Vice-Présidente: Ellen MacKinnon
Ron Eddy, Derek Fletcher, Ron Hansen, Pat Hayes,
David Johnson, Leo Jordan, Gordon Mills, Hugh O'Neil,
Anthony Perruzza, Tony Ruprecht
Clerk/Greffière: Tonia Grannum

**Resources development/Développement des
ressources**

Chair/Président: Bob Huget
Vice-Chair/Vice-Président: Mike Cooper
Sean G. Conway, Joan M. Fawcett, Leo Jordan, Paul
Klopp, Sharon Murdock, Steven Offer, David Turnbull,
Daniel Waters, Gary Wilson, Len Wood
Clerk/Greffière: Tannis Manikel

Social development/Affaires sociales

Chair/Président: Charles Beer
Vice-Chair/Vice-Président: Ron Eddy
Jenny Carter, Dianne Cunningham, Randy R. Hope,
Tony Martin, Dalton McGuinty, Larry O'Connor,
Yvonne O'Neill, Stephen Owens, Tony Rizzo, Jim Wilson
Clerk/Greffier: Douglas Arnott

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

CONTENTS

Wednesday 8 June 1994

MEMBERS' STATEMENTS

Community witness program	
Mr Murphy	6719
Junior kindergarten	
Mr Carr	6719
Belle River Minor Hockey Association	
Mr Hayes	6719
Tourism	
Mr O'Neil	6719
Grey-Sauble Conservation Authority	
Mr Murdoch	6720
Carrousel of the Nations	
Mr Lessard	6720
Water extraction agreements	
Mr Elston	6720
Government's agenda	
Mr McLean	6721
Stratford Festival	
Mrs Haslam	6721

ORAL QUESTIONS

Insurance tax	
Mr Offer	6721
Mr Laughren	6721
Agricultural labour policy	
Mrs Fawcett	6722
Mr Mackenzie	6722, 6723
Mr Cleary	6722
Mr Harris	6723
Justice system	
Mr Runciman	6723
Mrs Boyd	6724
Special services at home program	
Mrs O'Neill	6725
Mr Silipo	6725
Corporation filing program	
Mr Eves	6725
Ms Churley	6725

Tourism

Mrs Haslam	6726
Ms Swarbrick	6726

Criminal Injuries Compensation

Board

Mr Chiarelli	6726
Mrs Boyd	6726

Emergency services

Mr Jim Wilson	6727
Mrs Grier	6727

Waste disposal

Mr Wiseman	6728
Mr Wildman	6728

Gasoline prices

Mr Miclash	6729
Mr Wildman	6729

PETITIONS

Sexual orientation

Mrs Caplan	6729
Mr North	6730
Mr Waters	6730
Mr Poirier	6730
Mr Murdoch	6730
Mr Sterling	6731
Mr Huget	6731
Mr Hodgson	6731
Mr Cleary	6732
Mr Runciman	6732
Mr Carr	6732

Health insurance

Mr Tilson	6730
Mrs Sullivan	6732

Motorcycle and snowmobile insurance

Ms Carter	6730
-----------------	------

Tobacco packaging

Mr O'Neil	6730
Mrs Haslam	6731

Special services at home program

Mrs O'Neill	6731
-------------------	------

Firearms safety

Ms Carter	6732
-----------------	------

REPORTS BY COMMITTEES

Standing committee on regulations and private bills, *Ms Haeck*

Ms Haeck	6732
Report adopted	6733

Standing committee on government agencies, *Mrs Marland*

Mr McLean	6733
Report deemed adopted	6733

GOVERNMENT MOTIONS

Time allocation, government notice of motion number 30, *Mr Mackenzie*

Mr Mackenzie	6733
Mrs Fawcett	6733, 6737, 6742
Mr Tilson	6736, 6737, 6743
Mr Stockwell	6736, 6747, 6752
Mr Klopp	6736
Mr McLean	6737, 6742, 6744, 6747
Mr Sutherland	6741, 6752
Mr Cleary	6742, 6743
Mr Villeneuve	6746, 6752
Ms Murdock	6746
Mr Mahoney	6747, 6753
Mr Perruzza	6753
Mr Murdoch	6754
Mr Buchanan	6755
Agreed to	6756

Errata	6756
---------------------	-------------



No. 141

N° 141

ISSN 1180-2987

Legislative Assembly of Ontario

Third Session, 35th Parliament

Assemblée législative de l'Ontario

Troisième session, 35^e législature

Official Report of Debates (Hansard)

Thursday 9 June 1994

Journal des débats (Hansard)

Jeudi 9 juin 1994



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers

50th anniversary

1944–1994

50^e anniversaire

Hansard is 50

Hansard reporting of complete sessions of the Legislative Assembly of Ontario began on 23 February 1944 with the 21st Parliament. A commemorative display may be viewed on the main floor of the Legislative Building.

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats a 50 ans

Le reportage des sessions intégrales de l'Assemblée législative de l'Ontario, fait par le Journal des débats, a commencé le 23 février 1944 avec la 21^e législature. Une exposition pour marquer cet événement est étalée au premier étage de l'Édifice du Parlement.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 9 June 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 9 juin 1994

The House met at 1002.

Prayers.

PRIVATE MEMBERS' PUBLIC BUSINESS GREENHOUSE GAS EMISSIONS

Ms Carter moved private member's notice of motion number 44:

That in the opinion of this House, since Canada is a signatory to the 1992 United Nations Framework Convention on Climate Change, now in force, which recognizes the catastrophic environmental, economic and social consequences of greenhouse gas emissions and calls for decisive international action to curb these emissions; and

Since the federal Liberal government has committed to a 20% reduction in greenhouse gas emissions over 1988 levels by 2005, as urged by the Toronto Conference on the Changing Atmosphere and endorsed by the Ontario Round Table on Environment and Economy; and

Since the federal government is working to develop a national action plan on climate change, together with the provinces and territories, that will reverse the continuing trend towards higher emissions and achieve the 20% target; and

Since the recent Canadian Options for Greenhouse Gas Emission Reduction, or COGGER, report for the Royal Society of Canada concludes that it is both technically feasible and economically beneficial to implement a 20% reduction in emission levels;

Therefore this assembly supports the federal government in its commitment to a 20% reduction in Canada's greenhouse gas emissions over 1988 levels by 2005, and further supports leadership on the part of Ontario in helping to develop and implement a national action plan to achieve this environmentally imperative goal.

The Deputy Speaker (Mr Gilles E. Morin): Pursuant to standing order 96(c)(i), the honourable member has 10 minutes for her presentation.

Ms Jenny Carter (Peterborough): I have introduced this resolution on climate change because of the extreme importance and urgency of the issue. In spite of all the talk about the issue and the signing in June 1992 of the United Nations Framework Convention on Climate Change by Canada and 166 other countries, concentrations of greenhouse gas are still rising.

By the time our constituents are affected by climate change, it will be too late to take effective action. Some change is already inevitable. Sea levels will rise, drowning many now-inhabited regions. Prince Edward Island and other coastal areas of Canada may be affected. There will be refugees. Higher temperatures and changed climate patterns will put animals and plants, and particularly trees, in an inappropriate habitat. There could be massive

die-offs. Tropical diseases may spread to new regions.

Nobody knows exactly what will happen, but the costs of adjustment, both financially and in human terms, will be large. Environmental problems can lead to social disintegration. There are times when governments must give a lead. This is such a time.

Many studies have been done on how greenhouse gas emissions can be reduced in Canada and in Ontario. A 1991 study for the Ontario Ministry of Energy concluded that a 20% reduction from 1988 greenhouse gas emission levels by the year 2005 is feasible in Ontario.

In September 1993, we had the final report of the COGGER panel to the Royal Society of Canada. The panel addressed two sets of questions: Firstly, how much potential for carbon dioxide reduction through energy efficiency and fuel switching is worth doing anyway over the next several decades for economic reasons and how much of this potential is achievable, assuming different approaches and strategies; and secondly, what would be required to achieve much more aggressive energy efficiency and fuel-switching targets if these are necessary for climate stabilization. I shall address only the first set of questions, as this is where immediate action is needed.

The worth-doing-anyway changes are so because they reduce costs and improve efficiency. We're not asking business, industry and individuals to disadvantage themselves in any way. We're asking them to get more cost-effective, more up to date and efficient, more competitive, something they should be doing anyhow for strictly economic reasons. The article "Firms Find Gold in Green" in the *Globe and Mail* for June 7 makes this point quite strongly, and I cannot overemphasize this point. The environmentally friendly way is the way of the future, the way that will pay and also provide jobs. This improved job creation has been studied and proven.

Under the "What's Worth Doing Anyway?" heading, the COGGER report looks at the economic potential for reduction of energy-related carbon dioxide emissions. There are two general strategies available. One is improvements in the efficiency of energy conversion and end use: better furnaces, better lightbulbs and so on. The other is switching to fuels with lower carbon dioxide emissions per unit of useful energy produced, notably from oil and coal to natural gas.

The panel concludes that improved efficiency rather than fuel switching is the key to stabilizing energy-related carbon dioxide emissions over the next two decades and that an absolute reduction of emissions by 20% by the year 2010 can be achieved in a cost-effective way if both strategies are pursued to the full.

However, the report emphasizes that these changes will not come about by themselves and suggests that the

barriers to greenhouse gas emission reduction are not economic but political:

"Few provincial or federal government agencies or energy industries in Canada either have in place, or intend to implement, substantial energy efficiency policies that go beyond provision of information to consumers. Many organizations have no plans for, or expectations of, significantly increased levels of energy efficiency and fuel switching. And no organization that responded to the COGGER survey projected a stronger CO₂ target than emission stabilization. Many have no emission targets, and even when a stabilization goal exists, it is not clear that the policies required to achieve even that goal are in place."

1010

The authors say that more effective government policy is required, including real targets and timetables for emission reductions, carbon taxes, the elimination of policies that distort energy prices, regulations to set minimum efficiency standards for energy-using equipment and buildings, building retrofit programs, financial incentives for energy-efficient programs and more support for research and development in the area of energy-efficient products and procedures.

The federal government is committed to a 20% reduction of greenhouse gas emissions from 1988 levels by 2005, both in its red policy book and in the words of federal Environment Minister Sheila Copps. Bob Rae has also expressed support for this objective but is concerned that all implications be fully understood before a firm timetable is adopted.

Ontario has been cautious in its commitments, having fully endorsed only a national goal of stabilizing greenhouse gas emissions at 1990 levels by the year 2000, but Ontario is building up a good record of action actually taken. The Ontario government is planning further action, but cannot achieve optimal results without active cooperation with the federal government on a national plan.

It's also necessary to involve the public through incentives as well as through education. It's easy in times like this for overriding issues like joblessness to overshadow in people's minds environmental issues which, if not attended to, will lead to drastic problems down the road. And then the public will ask politicians why they didn't take action to prevent these problems from becoming unmanageable.

If we want to know whether these questions do figure in people's minds, we need only look at a report prepared for the Children and Youth Project of the Premier's Council on Health, Well-being and Social Justice in February 1993 to find that the questions are present where they should concern us most, in the minds of children. Some children mentioned the greenhouse effect and other environmental problems as reasons why they and their children could not look forward to a good life. Our kids know the environment matters, even though they don't call us about it.

It's a strange thing, but nuclear power stations pay off the debts that are incurred in building them over 40 years, which is probably their lifetime, whereas equip-

ment for improving energy efficiency seems to be expected to give a payback in one or two years, showing just how environmentally beneficial it actually is.

Things are happening, but not enough. Greenhouse gas emissions are still increasing.

I urge all members to support this resolution. If Ontario provides leadership in developing and implementing a national action plan while expanding its own activities, and Ottawa keeps its promises, I shall have achieved my objective in bringing forward this resolution.

Mr Steven Offer (Mississauga North): I am very pleased to join in this debate. Let me say at the outset that I am in support of the resolution put forward by the member for Peterborough. It behooves us to recognize that the resolution asks for the support of this assembly in supporting the federal government "in its commitment to a 20% reduction in Canada's greenhouse gas emissions over 1988 levels by the year 2005, and further supports leadership on the part of Ontario in helping to develop and implement the national action plan to achieve this environmentally imperative goal."

This type of resolution is one which I certainly can support. In fact, I believe it is incumbent on all members of this Legislature to lend support for environmental initiatives. It should not matter what the level of government is, because we know that our air, our water and the way we use our land indeed draws no distinctions between levels of government or political parties. I believe we must continue to stand up and collectively work for the preservation, the protection, the enhancement and the betterment of our environment. It is important to us; it is important to our children and to our children's children.

I believe we must have as our overriding motivation and our goal the best interests of the people of Ontario. We must, as legislators in this province, continue to be vigilant in supporting worthy initiatives and must also be ready to criticize actions we do not feel are in the best interests of the environment. We must look to all levels of government, and for that there is no difficulty for me in supporting this particular resolution.

It is clear that we are looking for leadership from the federal government in supporting that. We are looking for leadership from the provincial government, and because this resolution deals with this, I believe it is also important for us to take a look at what is within our jurisdiction and responsibility in this province and whether we are meeting the goals, meeting our own targets.

We can look, for instance, to the dry-cleaning regulations that have been announced by the province. We can look to the issue of smog; we can look to the issue of the ozone layer; we can look to the issue of landfill and waste management. We must be able to examine ourselves and to analyse our efforts in these areas that also affect the environment.

I have before me, in the area of the dry-cleaning regulations, a news release by Pollution Probe. Pollution Probe has indicated that they find the dry-cleaning regulation inadequate. The environmental group Pollution Probe indicated in a news release of February 28 of this

year that Ontario's draft dry-cleaning regulation misses the mark in terms of its goal of reducing carcinogens that contribute to ground-level ozone formation.

Pollution Probe has indicated clearly in a letter of February 28 to the Minister of Environment and Energy that they "reviewed the regulation and conclude that it is inadequate for achieving significant reduction in VOC emissions from the dry-cleaning industry. It puts forth no goals and no time lines. A training program alone offers no guarantee that VOC reductions will be achieved."

I think it is incumbent upon us as members in this Legislature, as we lend support to this resolution and our support to the leadership aspects in the federal government, that we also take a look at what is or is not being done in the provincial area.

In the area of smog, it is important to recognize that Pollution Probe, with the Lung Association, has indicated that Ontario is falling behind other provincial and US jurisdictions in the fight against summer smog. This was a report issued just at the beginning of this month, June 1, 1994.

It was stated by Janine Ferretti, the executive director of Pollution Probe, that "if we're going to clean the air in Ontario, we have to clean up the car."

She goes on to say: "But Ontario isn't leading the way—it isn't even matching the efforts being made elsewhere; we've got the country's worst smog problem—and we deserve the best smog-fighting program. We're not getting it."

Pollution Probe, again with the Lung Association, states that the one-year voluntary pilot project announced by the government is "little more than a test of emission-testing equipment. It's a baby step in the right direction, but will have little effect on smog."

So we have from other sources, people who are involved in this area, a real condemnation of the actions and reactions by the government in this area.

1020

In the area of ozone, we know that Friends of the Earth have just released a report which gives Ontario a dishonourable mention as the country's largest producer of ozone-depleting substances. For that, this government should feel, rightly, concerned.

They have not done anything in the area of ozone. They have not done anything in the area of smog. They have not done anything in a variety of other areas. And as we found out just last week, the provincial government has reduced the emergency response times in the event there is a toxic spill in this province. If there is a toxic spill which takes place after 10 pm on weekdays or any time on the weekend, there will not be an immediate response to that spill. I believe that is something for which the provincial government should be criticized.

The last point I wish to make deals with the way in which the provincial government has dealt with the waste management issue. I think we all recognize the intense criticism that the government has received over its actions in Bill 143: the creation of the Interim Waste Authority, the incredible waste of dollars that that authority is expending each and every day, and how people in the

communities in the greater Toronto area have been excluded in no small measure from participating in how they feel waste can be disposed of in the best environmental manner possible. That criticism continues day in and day out to this government.

The other area where the government has been roundly criticized, once more in the waste management area, and this is coincidental, happens to be in the Peterborough area. I think the member who has put forward this resolution recognizes that because of her government's policies, there are now, I believe, four waste disposal sites. All have been recognized and situated on usable and in-use farm land: People have been working that area as farm land. They are extremely critical that the current government puts in place a waste management policy which will in effect take farm land out of the agricultural sector. They believe the government is wrong, wrong and wrong in the way in which it is addressing this particular issue. It is an issue that they address in a way that can be described in one word, and that is "chaotic."

So as I speak in support of the resolution, because I believe all members should lend support to whatever level of government there be—it doesn't matter what the political party happens to be; we should be ready, willing and able to support initiatives that are in the best interests of the environment, that are good for our water, good for our land, good for our air, good for our children. We must continue to stand up in support.

But there is a quid pro quo. That is that as we are ready to say yes, we must also be ready to say, "No, we do not agree with particular actions" or "No, we believe that a particular matter is being met with an inaction." It doesn't matter what level of government, or indeed political party, happens to be represented; we must stand up and say that there is inaction.

This resolution is important because it gives us the opportunity to stand up—certainly I will be supporting the resolution—and say, and we should all be standing up and saying, "Where has the provincial government been in terms of the protection of the ozone layer, in terms of smog, in terms of an effective waste management policy?"

There is criticism by groups such as Friends of the Earth, Pollution Probe, the Lung Association. We will do well as legislators to listen to those very important groups on a matter and issue which will affect all of us, will affect our children and our children's children. We have a duty and a responsibility.

I thank the member for giving me the opportunity to stand in support of the resolution, but also giving me the opportunity of indicating where I believe the provincial government has fallen short of its responsibility for the protection and the enhancement of the environment.

Mr Allan K. McLean (Simcoe East): I welcome the opportunity this morning to make a few comments on the resolution from the member for Peterborough.

Part of the resolution reads,

"Since the federal Liberal government has committed to a 20% reduction in greenhouse gas emissions over 1988 levels by 2005, as urged by the Toronto Conference

on the Changing Atmosphere and endorsed by the Ontario Round Table on Environment and Economy; and

"Since the federal government is working to develop a national action plan on climate change, together with the provinces and territories, that will reverse the continuing trend towards higher emissions and achieve the 20% target; and

"Since the recent Canadian Options of Greenhouse Gas Emission Reduction...report for the Royal Society of Canada concludes that it is both technically feasible and economically beneficial to implement a 20% reduction in emission levels;

"Therefore this assembly supports the federal government in its commitment to a 20% reduction in Canada's greenhouse gas emissions over 1988 levels by 2005, and further supports leadership on the part of Ontario in helping to develop and implement a national action plan to achieve this environmentally imperative goal."

I agree with the aim and the parts of this resolution which certainly want to reduce by 20%—this action plan—the greenhouse gas emissions. It's important for the people of Ontario to know that the member from the governing party is relying on the federal government to protect our environment because of the attitude of the provincial government since it was first elected in 1990.

In August 1990, Bob Rae unveiled his famous Agenda for People by saying:

"We have to make tough choices on the environment and make the polluters pay to clean up their mess. For too long the environment has suffered while the Liberals refused to get tough on polluters. The commitments we make today cover a broad range of the most pressing environmental issues in Ontario today and will end the free ride that corporate polluters have been getting from a friendly, toothless Liberal government."

That's what Bob Rae said August 19, 1990. Under the "Clean Air" portion of the Agenda for People, Bob Rae said he would extend the acid rain program because the Liberals' Countdown Acid Rain program didn't go far enough. He said it didn't control acid gas emissions from the Big Four—Ontario Hydro, Inco, Falconbridge and Algoma Steel—beyond emission targets set for 1994. He said it did nothing to control all the other sources of acid gases. He said, "We need to plan for post-1994, including further reductions for the Big Four and new regulations for the other sources."

Bob Rae went on to suggest that "the general industrial air pollution law should be amended to mandate zero discharge of toxic chemicals into the air by the year 2000." He noted that Liberal election promises had "no zero goal at all."

Sadly, Bob Rae and his merry band of socialists have followed up on none of those clean air promises from the Agenda for People. Instead, they've been dumping on the people of Ontario.

I'm referring to the fact that under Liberal and NDP governments, the people of Ontario have had a series of conflicting policies with regard to landfill sites. It has always been my personal opinion that we do not require any new landfill sites. In fact, I believe landfill sites have

gone the way of the dinosaur and it's now incumbent upon all levels of government, industry and the public to devise new and environmentally sound methods for handling waste management in Ontario.

Having said this, perhaps a little background would be in order to clear up some of the matters that have concerned me in the recent past. At one time, the provincial government encouraged municipalities to band together and establish local organizations to review waste management in their jurisdictions and urged them to come up with creative solutions to waste management problems.

1030

In 1989, the Liberal government passed An Act to amend the Municipal Act, which gave municipalities power over waste management and directed them to establish waste management plans. The premise behind this legislation was sound in theory, because municipalities are best equipped to know their own waste management requirements, problems and solutions.

Two years later, the NDP government brought in Bill 143, An Act respecting the Management of Waste in the Greater Toronto Area and to amend the Environmental Protection Act. Bill 143 was precedent-setting because it gives the Ministry of Environment and Energy power to unilaterally dictate waste management procedures which have traditionally and legally been overseen by municipal governments. It expropriates the rights of municipalities to make their own waste management decisions, steam-rolls years of legislation outlined in the Municipal Act, the Ontario Municipal Board Act, the Planning Act, the Environmental Assessment Act and the Environmental Protection Act as they pertain to waste management systems, and limits waste disposal options and makes null and void all waste management agreements a municipality may have.

Now we have a member of the governing party suggesting that we must hang our hopes for environmental protection on clean air measures taken by the federal government. There's a completely unacceptable response from the government here if it seriously recognizes what's happening in Ontario. With regard to the emissions, I say that the new-found ethanol gasoline is certainly a step in the right direction. I think it should be an undertaking by this government to promote that further, to make sure that there is more green being used in our gases, therefore cutting down on the pollutants we put into the air.

Ms Christel Haeck (St Catharines-Brock): I first of all want to commend the member for Peterborough, because it is my belief and it has been my experience that there really is no one else in our caucus who more consistently brings forward issues on the environment. I know in her discussions within caucus that this is an issue she brings forward on a regular basis, and so I know that for her it is a long-standing concern, and I personally admire her commitment to that cause.

Her resolution very much speaks to that long-standing concern, and it definitely shows that it is her belief, and it is also mine, that whatever each of us does, both large and small, really does have a palpable effect on the world around us.

I know that many in this House and in the galleries will have heard this phrase: "Think globally; act locally." "Locally" means not only our communities or our province, but it does mean in our homes, too. Reducing our energy consumption saves the environment. Such little things as changes to the Ontario Building Code, which has been revised both in 1990 and in 1993, have seen issues like changing the home insulation and thereby making sure that individual homes are using less in the way of heat.

I would like to point out that insulation requirements in the building code for new housing were updated in 1990 and full-height basement insulation standards were added in 1993, along with even higher energy efficiency standards for electrically heated homes. As a result, the average new gas-heated home built in 1995 will be 15% more efficient than one built in 1988.

Many of us probably don't think a simple thing like controlling a leaking tap has an effect, but water consumption—and frequently it is the hot water tap that does leak—will affect the energy that's required to heat that water, and controlling that kind of usage in the home, however small it may be individually, does have, across the province and across the continent, an effect. So there have been amendments to the plumbing code.

The plumbing code amendments will affect water flow in commercial and residential structures by establishing maximum flow rates for shower heads, toilets and faucets. Energy savings are a result of reduced demand for hot water. All of this, however small, has an effect on the kind of energy that needs to be produced to heat that water and obviously affects our air quality.

I wanted to also point out that the issue of transit is one that we have talked about locally. I know this is something that the member for Peterborough also holds very dear, and that relates to the use of transit. I think we all have to be very mindful of how we travel from point A to point B, the efficiency of our automobile, but also the availability of public transit.

This government has moved on this kind of an initiative to make sure that there is more rapid transit available. I'd like to point out that Ontario has announced detailed plans to substantially expand the public transit network over the next decade. Enhanced regional commuter service will be augmented by over 40 kilometres of new rapid transit lines in Toronto alone. I know there have been discussions within my own region, in the Niagara Peninsula, about increased rapid transit to Toronto.

I have some concerns about the Ministry of Transportation focusing on road expansion, but it does make recommendations with regard to GO buses and a range of other services that my constituents can make use of, basically thereby eliminating the use of the automobile and making sure that our energy use is minimized.

Along the line of the use of the automobile, we should make sure that our cars, as I said earlier, are efficient. Currently, there is a voluntary pilot program in place here in Metropolitan Toronto which allows for the inspection and maintenance of cars. These plans call for a full program to apply to the 3.4 million vehicles in the GTA fleet by the year 2000. An estimated 30% of the

automobile fleet is in need of repair. That will reduce emissions.

Experience with programs in other jurisdictions shows that substantial fuel economy savings also result from repairing non-conforming vehicles. I want to point out to the member from one of the Mississauga ridings that we really and truly are acting, time and time again, on these issues. We are improving our air quality, dealing with these smog issues. I would counter his comments. We are acting.

I know there are other members of the government side, other members in this House, who wish to speak to this, so I want to thank the member for Peterborough again for the opportunity to raise these very valuable points.

Mr David Tilson (Dufferin-Peel): The issue that's been raised by the member for Peterborough is certainly one that we should spend some time on. I congratulate her for raising it and certainly I do support that type of resolution and congratulate her for bringing it to the Legislature today.

There's no question that much of her resolution, if you read the resolution—several members have read it—talks about what the federal government should do, that we should be encouraging the federal government to do certain things. There's no question she's right; we should be doing that.

I guess the problem is that because of jurisdictional issues there has to be a partnership, there has to be cooperation with the provincial governments, not just in Ontario, but governments. There has to be a partnership with the United States and other jurisdictions that we need to look at, and perhaps we've been overlooking that. Perhaps the province of Ontario and the federal government and the jurisdictions, the state of New York and the various American jurisdictions as well as the federal jurisdiction in the United States, have been overlooking their obligations on the very serious issues that are being raised by this resolution.

When I say I support it, I do support it, but there is no question that the member for Peterborough has been a member of the cabinet of this government, has sat in that cabinet. With due respect to her, I have seen very little to improve the issues she is raising from the provincial perspective of this government. Quite frankly this resolution, being brought in the dying days of this government, is rather strange when she has had a wonderful opportunity as a minister, as a member of this government, to actually do something. Yes, there is no question that she may stand in her place and talk about some of the things that the current government has done with respect to refrigeration and other environmental matters, and she is correct.

1040

I remind her what her party did when it was seeking office in 1990 and put forward *An Agenda for People*. There was a paragraph in this document which dealt with this very subject. You raised it then and yet you've done nothing since as far as being a member of the cabinet or a member of the New Democratic government is con-

cerned. I'm going to read that to the member for Peterborough.

The Agenda for People is quite clear as to the whole topic of clean air. In fact, clean air is a topic in it. It says: "Extend the acid rain program: The Liberals' Countdown Acid Rain program didn't go far enough. It doesn't control acid gas emissions from the 'Big Four' (Ontario Hydro, Inco, Falconbridge and Algoma Steel) beyond emission targets set for 1994. It does nothing to control all the other sources of acid gases. We need to plan for post-1994, including further reductions for the Big Four and new regulations for the other sources."

I have heard nothing from you, as a former minister of the crown, or this government on this topic. So I find it strange that you come to this place at this particular time and bring forward this resolution encouraging the federal government to do a number of very serious things—and I repeat, I agree with you on those—and yet your government, which has an obligation to do a number of things, has done absolutely nothing.

On the topic of the overhaul you suggested in your Agenda for People, the New Democratic Party says, "Overhaul the air pollution laws: The general industrial air pollution law should be amended to mandate zero discharge of toxic chemicals into the air by the year 2000. Liberal election promises have no zero goal at all."

Again, you've been talking about this for four years. You've been talking about this since 1990 and yet your government has done next to nothing. You in government have an obligation on this very important issue that you bring to this House, and you've done nothing. Your government has put forward the issue of voluntary vehicle emission inspections and maintenance in this province, whereas other jurisdictions, particularly British Columbia, as I understand it, have mandatory vehicle emission inspections.

I quite frankly think that clean air doesn't seem to be on your government's agenda. I encourage you in suggesting that the federal government get its act together, but I suggest that you and your government get your act together, because the whole topic of clean air is important to us. The province has set no time lines itself; it has set no time lines on the very issue you're speaking of. You're saying to the federal government, "You set time lines," but you're setting none.

I encourage you, I plead with you to do the very thing yourselves that you're asking the federal government to do. You have set no targets and no plan for controlling the yellow haze that blankets our cities. You have a responsibility. Yes, the federal government does and the American jurisdictions do, but you do, and quite frankly we have seen no targets, no time lines, no plan.

On one of the most obvious solutions, the emission inspection program for cars, really very little has been spent on that. To date, to my knowledge, your government has made that voluntary.

I have only a few minutes left, and I'd like to raise another issue with respect to air emissions. I raised this before with your Minister of Environment and Energy, Mr Wildman, in a question to this House several days

ago. It has to do with your whole policy of waste management. Your government has simply said: "Build gigantic landfill sites. Build gigantic dumps in the GTA, 400 acres, 500 acres on top of water aquifers, on top of prime farm land." You won't look at other options.

One of the things that you won't consider, won't allow this province to even consider, is the expansion of energy-from-waste facilities, even though they've been so successful in other jurisdictions, even though they've been successful in Europe, Japan and the United States.

I read to your minister a report that came forward in a magazine article. I hope he has looked at it and changed his policy. In the time remaining, I'd simply like to read again the statistics that show that the amount of emissions that are coming from landfill sites, as opposed to energy-from-waste facilities, are gigantic. Yet you continue with your policy of saying, "Do not even consider, do not look at, the option. Do not allow the municipalities to look at the option of incineration."

This article of Professor Kay H. Jones, called Comparing Air Emissions from Landfills and WTE Plants, comes forward in the April 1994 edition of Solid Waste Technologies. Member, I encourage you to read this article. For example: "In the past, health risk concerns about landfilling have centred on the potential for groundwater contamination...liners and leachate management have lessened the potential problems, but haven't resolved them entirely. Air emissions from landfills also can negatively affect health."

Yet your government does not even have a process for monitoring the emissions that come from landfill sites. You don't even monitor them. You have no idea of the amount of emissions that are coming from landfill sites. You can't even intelligently discuss this topic, yet you go away with your blinders on and have simply ruled out that whole issue.

I encourage members of this House to read this article which I've referred to in this House in the past and I thank you very much for allowing me to participate in this debate.

Mr David Winninger (London South): I too am pleased to rise in support of the resolution put forward by the member for Peterborough. It's quite clear, according to an issue of the Global Warming Report, which I have, that:

"Carbon dioxide from the burning of fossil fuels is the dominant, human-induced contributor to the greenhouse effect. Improved energy efficiency, greater use of renewable energy, and development of new energy technologies will all be needed to reduce emissions of CO₂."

"As an example, energy use and CO₂ emissions in Ontario have dropped more than 8%" between 1989 and 1992, so the suggestion made by the opposition critics that we're doing nothing to monitor carbon dioxide emissions and nothing to reduce them is hogwash, to put it mildly. We are doing a lot as a province. We're playing a key role in this country to reduce carbon dioxide emissions.

There are progressive measures that have been taken and should be taken in the future to change patterns of

energy use and consumption. The key things are, of course, energy efficiency, switching of fuels where appropriate, and improving our technology to reduce CO₂ emissions.

I think too that there is significant economic potential for increased energy efficiency and fuel switching. I note with some interest, in an article of the journal of the chartered accountants entitled "Who Pays? Now that Business Wants to Go Green, It's a Question of Finding the Money," that "Daniel Rubenstein, a principal...in the office of the Auditor General in Ottawa and one of Canada's foremost environmental accountants, says... 'The debate is moving. You don't have to argue pollution's dangers with the leaders of industry any more.... Most of them want to go to zero impact. For them, the next logical questions are, "What do we have to fix to get there?" and "How do we pay for it?"'"

1050

I take issue with some of the comments of the opposition critics that Ontario has done little or nothing to limit the emissions of CO₂. Energy retrofits in our own social housing are an important and innovative measure that we've taken in converting to natural gas to reduce consumption; tightening up our Ontario Building Code to ensure that higher standards for energy conservation are built into our new structures. One of the first things we did in our budget of 1991-92 was to impose a gas-guzzler tax on cars that consume more fuel. These are all the kinds of measures, including the more recent announcement around dry-cleaning industrial restrictions, which I think go a long way towards reducing the emission of greenhouse gas.

I know my time is short because there is another speaker for the government who wishes to add to this debate. I would just quote from a booklet called *Visions 2020: Youth Environment in the Future*, which was the response of Canadian students to the Brundtland report. In it, the group from Glebe Collegiate in Ottawa said:

"We live in a consumer society and use staggering amounts of energy every day. The major source for this energy is the burning of fossil fuels, which emits large amounts of airborne chemicals.... Carbon dioxide has been linked directly to global warming."

Also, a booklet put out by the Global Action Plan for the Earth tells people how they can reduce energy consumption in their own homes and over the course of a year reduce consumption and emission of CO₂ by nine tons for an average family of four.

I could go on, Madam Speaker, but I yield the floor to the next speaker for the government.

Mr James J. Bradley (St Catharines): I have just a few minutes to participate in this exceedingly important debate on an issue that gets far too little attention in the Legislative Assembly and far too little attention nationally and internationally these days. All of us can well recall the attention that the environment received in the mid- and late-1980s and into the very early 1990s, until such time as the recession struck and attention switched to other issues.

I want to say that it's timely that this motion is before

the Legislature. I want to inform those who would be listening that what you have to understand about Canada is that virtually all of the action is at the provincial level, and always has been. The federal government has a role and responsibility to set out the guidelines. It makes policy and pronouncements, and has over the years, and has certain operational obligations. But by and large in Canada, unlike perhaps some other countries, the provinces have jurisdiction over operations, and that's why Ontario has the opportunity to provide leadership in this particular field. What is lamentable is the fact that because there is little attention paid to environmental issues today, the pressure on any government to move forward as it should is diminished considerably.

I notice that the Ministry of Environment and Energy budget has been ravaged each time there is a budget that comes out. I've always believed that governments should not simply cut every ministry the same way. It should select its priorities and some ministries are going to be cut more than other ministries.

My concern for a Minister of Environment, for instance, trying to do his job in this particular case, is that we see cuts in the Environment and Energy ministry budgets: cuts in staff, cuts in resources, cuts in equipment. That means that the government doesn't have the same opportunity to meet its obligations that would be implied by this particular resolution.

My understanding is that the clean air program which was announced in 1990 has been deep-sixed in the ministry. It's totally abandoned. It's a very comprehensive program—it's not a cheap program; it's not a program that has no disruption on the private sector—but that has been totally abandoned by the government, which is very disappointing to see, because I think there were a lot of people elected on the government side in 1990 who would have been hopeful that the government would have proceeded vigorously and comprehensively with the clean air program in the province of Ontario.

We have a chance to be leaders. I like the fact that the member for Peterborough has raised this particular issue in the House. We should have more debates of this kind to put pressure on members of the cabinet who have responsibility for these things, to put pressure on the senior advisers to the Premier and to the ministers so that environmental issues of this kind can get the attention they should.

I notice that Friends of the Earth, which is an independent group, in one of its surveys gave Ontario a C- in terms of dealing with substance, dealing with issues related to air quality.

I hope the government will proceed to fulfil its obligations that it has in Ontario to help meet the national goals which have been set out by the federal government.

The Acting Speaker (Ms Margaret H. Harrington): Further debate? Then the member for Peterborough may reply to the debate.

Ms Carter: I'd certainly like to thank all the contributors to this debate. I think they all agreed on the importance of the issue and that we need to work towards this objective.

I'd like to point out that there is no negativity in the motion I've put forward. I am not attacking anybody for what they have or haven't done. This is something where we need to take a positive approach. We all need to work together because this is a global thing. It's no good for Ontario to act if nobody else does. It is going to be a question of cooperation.

I have a letter that was written by Sheila Copps, the federal Environment minister, and I'd just like to read part of that:

"This government takes its obligations seriously and, consistent with the red book, has established a process for designing a national action plan to achieve emission targets. On November 17, federal, provincial and territorial energy and environment ministers approved a joint action plan on air quality issues and made a commitment to ongoing cooperation in this area.

"With respect to climate change, ministers agreed to instruct their officials to proceed with the development of options that will meet Canada's current commitment to stabilize greenhouse gas emissions by the year 2000, and to develop sustainable options to achieve further progress in the reduction of emissions by the year 2005.

"The Canadian government supports the objective of cutting carbon dioxide emissions by 20% from 1988 levels by the year 2005. It will continue to work with the climate change task group and the measures working group to reach that goal. Environment Canada, working closely with all its partners, will be an active contributor in devising the case for an appropriate set of measures that will meet these objectives."

That is set out there. I hope Sheila and the federal government will live up to that.

It has been suggested during this debate that the Ontario government has not been taking action in this field. I'd certainly like to refute that. I have in my hand a document which lists the things that the Ontario government has been doing and is planning to do that are going to help towards this goal of reducing carbon dioxide emissions and climate change.

It's far too long a list for me to be able to read it. Some points have been mentioned, such as action involving Ontario Hydro and the gas utilities, housing policy and the building code, transportation policies, green communities initiatives, the industrial energy services program and far more.

Speaking as the member for Peterborough, I would like to mention that we have a green communities project in Peterborough. It's been tremendously successful. Households are visited; an audit is done of their, as it were, private energy situation; suggestions are made and, if followed up, consumers can find that for ever afterwards they will have reduced energy expenses so that the goal of helping the environment also helps people's pockets. It provides employment and it is putting large sums of money back into the local community, so it has very direct economic advantages.

There's no divergence of interests in this. Everybody's interests do come together on this issue: short-term economic and job interests and the question of the future

that we're all looking at. I ask everybody to support this motion because, as I say, it is something that affects us all and it's something where we can all work together to get results.

1100

The Acting Speaker: The time for the ballot item has expired. A vote will be held on this resolution at 12 noon.

EARLY CHILDHOOD EDUCATORS ÉDUCATEURS DE JEUNES ENFANTS

Mr Beer moved private member's notice of motion number 43:

That, in the opinion of this House, the government of Ontario should give formal legislative recognition to the profession of early childhood educators; and

Since early childhood educators have a large share of the responsibility for the care and education of young children in Ontario; and

Since despite the importance of this profession there are no formal entry standards for early childhood educators beyond the ECE diploma; and

Since there are no formal standards of practice nor any mechanism to ensure that early childhood educators are held accountable for their professional conduct; and

Since the Association of Early Childhood Educators, Ontario (AECEO) is an organization of early childhood educators and concerned individuals whose objective is to improve the quality of early childhood care and education, and has long held that some form of professional regulation is required to ensure that the needs of children and families are met;

Therefore, in order to protect children and families and increase the quality of care and education of young children, the government of Ontario should formally recognize the need for professional regulation of early childhood educators and should develop an act that prescribes, among other things, minimum entry standards, standards of practice and a code of ethics for early childhood educators. Draft legislation should be presented to this Legislature no later than the end of the 1994 legislative session.

The Acting Speaker (Ms Margaret H. Harrington): Pursuant to standing order 96(c)(i), the member has 10 minutes for his presentation.

Mr Charles Beer (York-Mackenzie): I welcome the opportunity to discuss this motion with members, because I think it is very much one that can have the support of all members. I believe that there are many positive reasons why at this time we want to move towards legislative recognition of early childhood educators and where some of the issues or some of the questions and the problems, many of which are similar to those in relation to the question of social workers which we discussed earlier in this House, are ones that can be met so we can ensure both that we recognize the professionalism of the early childhood educator and set up a system that is going to provide for the appropriate regulation and accountability of that profession and that we improve the provision of child care generally in this province.

At the opening of my remarks, I would like to note that in the gallery with us today are Velma Doran, who's the president of the Association of Early Childhood Education of Ontario; Kathy Stearns, who is from the provincial office and who is the membership coordinator; Robyn Gallamore, the executive director of the association; and Miss Carol Page Heyding, who is the chair of the legislative recognition committee of the AECEO. They have all been very much involved in this issue for some time, along with others in the early childhood education field. I would simply like to note their presence and also to recognize the hard work that they have done over the past number of years in trying to bring about legislative recognition.

Let me then address some of the issues as we approach this matter. Over the course of the last number of years, certainly the last four years, we have had brought to the attention of the Legislature a number of specific things: Children First, which many members will recall was an important document that was presented in November 1990; more recently the Premier's Council report, Yours, Mine and Ours; an interesting document that was brought to the attention of the standing committee on social development called Starting Points: Meeting the Needs of Our Youngest Children, which comes from the Carnegie Foundation in New York; and for those of us who sit on the standing committee on social development, the hearings that we have been going through over the last number of weeks on children at risk.

I mention those documents and those hearings simply because I think what we, as members, have been hearing and are being made aware of is that the issue of children and youth, the issue of early childhood education, is a very critical one, an important one. Child care is very much a part of that, and therefore the role of the early childhood educator is critical.

I believe we're at a point where we can move forward and set out, as the association itself is urging, a process that will lead us then to a body for the early childhood educators that will be able to set out standards of practice, that will be able to set out an accountability function, propose entry standards and develop a voluntary reporting process and registration process.

The importance of that is twofold: One is that we all recognize how important it is going to be, for the rest of this decade and beyond, to develop greater flexibility, a greater variety of child care opportunities in this province. Everyone who has talked about the provision of better, more accessible child care has indicated clearly the importance of early childhood educators being part of that. I don't think there is any argument among the three parties on that issue.

We now have, after a decade or 15 years in which community colleges have had diploma programs for early childhood education—Ryerson has a special degree program for early childhood education—a wealth of individuals out there with a great deal of professional competence, but there is no body in a sense to be able to speak on their behalf and to act as an appropriate regulatory body to ensure that the profession is indeed as competent and as accountable and, quite frankly, as

professional as the members want it to be, and I think as all of us would want it to be, whether it's as parents with young children in child care or just simply as citizens of this province who want to see the most effective system of child care that we can have with the best-trained people within that system.

I want to hasten to add here, I think one of the issues that always comes up around developing self-governing professions is, will that be exclusive? I think in the deliberations which the association has had, they have been taking great pains to ensure that this will be an inclusive organization, seeking to bring within it all of those who have earned early childhood education diplomas, and that the purpose of the legislative recognition is then to ensure that this professionalism can continue, that the appropriate programs can be developed to ensure proper in-service training and to continue to work at making the early childhood educator in Ontario the best-trained, the best-educated in Canada, in North America, in the world.

Assisting them in doing that, I want to bring to the attention of members that the association did a feasibility study. This study was funded by Health and Welfare Canada, and in it they surveyed some 1,000 parents and users of child care, some 2,000 early childhood educators and 25 key groups involved with children across the province and set out to ask a whole series of questions about how they might proceed in bringing about legislative recognition.

Now that particular group has followed up in response to this questionnaire, where I think it would come as no surprise that those who are active in the field of early childhood education are saying, "Yes, we need standards of practice; yes, we need an accountability function; yes, we need a number of things to make sure that we have an association, a collection of professionals who are going to be able to meet the needs that are out there." They have gone forward and taken that and have developed a process for drafting legislative recognition, and that particular document is going to be discussed with their membership very soon.

1110

That's why I believe that if today we as a Legislature can say that we approve in principle the need for legislative recognition, the association itself is then going to be able to sit down with the Minister of Community and Social Services with a model, to say: "How would this look? Is this something we could put into legislation? We as early childhood educators believe it has broad support from all of those who are active currently in the field." That could mean that we would be able to have draft legislation come back to this House in the fall, be able to deal with it and to pass it.

As the minister himself has said in another place, with myself and with the member for Burlington South, he sees this issue of legislative recognition as an important one. I know the ministry is looking at some other options to do with the Day Nurseries Act and some other models, and I think it is appropriate that it does that, but I know I have been persuaded that in terms of whatever changes we make to the Day Nurseries Act or to other acts, one

of the key components of ensuring that we have the kind of child care we want and that we have an active group of professionals working within it should be legislative recognition.

I'd like in my opening remarks just to close with some comments that were made by John Sweeney, a former member of this House and former Minister of Community and Social Services. He said this in early 1989:

"With the best will in the world, we, the government, are simply not going to be able to do the number of inspections and the kind of monitoring that is probably necessary in a number of situations relating to child care. If we leave it totally up to us, we are not capable of doing the job by ourselves."

That is as true today as it was then. For us as legislators to ensure that we have an accountable profession of early childhood educators—they want to be accountable so they can help us to ensure that we have those child care programs that are accountable—we need to bring legislative recognition to the field of early childhood education. That is what this motion is all about, and I would ask for the support of all members of the House.

Mr Allan K. McLean (Simcoe East): I once again welcome the opportunity to comment just briefly on this resolution from my colleague the member for York-Mackenzie. Parts of this resolution are interesting and I want to read some of it into the record:

"Since despite the importance of this profession there are no formal entry standards for early childhood educators beyond the ECE diploma; and

"Since there are no formal standards of practice nor any mechanism to ensure that early childhood educators are held accountable for their professional conduct; and

"Since the Association of Early Childhood Educators, Ontario (AECEO) is an organization of early childhood educators and concerned individuals whose objective is to improve the quality of early childhood care and education, and has long held that some form of professional regulation is required to ensure that the needs of children and families are met;

"Therefore, in order to protect children and families and increase the quality of care and education of young children, the government of Ontario should formally recognize the need for professional regulation of early childhood educators and should develop an act that prescribes, among other things, minimum entry standards, standards of practice and a code of ethics for early childhood educators. Draft legislation should be presented to this Legislature no later than the end of the 1994 legislative session."

I congratulate the member for York-Mackenzie for bringing this resolution to our attention today, because it deals with one of our most precious resources, and that's our children.

I have always believed that modern Ontario families need a variety of child care supports to allow them to fulfil modern obligations, including raising children, participating in the labour force and public life.

All children should have access to child care services regardless of family income or their parents' employment

status. Parents should have the right to determine the nature and extent of their children's participation.

Child care should be of high quality. To ensure this high quality, child care services should be licensed and regulated, reflecting the best current knowledge about early childhood development as well as the varied cultural and linguistic backgrounds of Canadian families.

I would suggest that a wide range of service options is needed to assist modern families in their child care responsibilities, including full-day group day care, half-day nursery school programs, regulated family day care, parent and child drop-in programs, opportunities for parent education, toy-lending services, training and advice.

On page 10 of the Common Sense Revolution, Mike Harris notes:

"Our obligation to those in need is even greater in the case of our children. Children living in poverty suffer from significantly higher infant mortality rates, lower life expectancies and tend to receive poor nutrition and education."

We recommend the implementation of a learning and earning and parenting program: "Young single parents on welfare will be encouraged to stay in school and complete their education. If they meet attendance standards, they will be eligible for child care and bonuses in their welfare cheques."

On June 7, I received the following letter from Ms Lisa Teskey, who is the president of the Huronia branch of the Association of Early Childhood Educators, Ontario. She'd indicated to me that this resolution was coming before this Legislature today and was hoping that the resolution would have support. The basis of it, or the bottom line, as she says, is, "To protect the children and families of Ontario and to increase the quality of care and education for young children, we ask for your support of this resolution." I can assure Lisa that she has our support.

As well, Louisa Dyck of the early childhood education faculty of Conestoga College in Kitchener-Waterloo sent me a fax on June 8:

"As a follow-up to our conversation yesterday, I have had the opportunity to briefly outline the upcoming resolution with several colleagues. Unanimously, it is felt that this type of legislation is long overdue. While the Day Nurseries Act clearly sets out minimum standards for the physical facility, schedule and operation of a child care program, there are no safeguards in place with respect to standard practice and ethical behaviours of the staff which operate these programs and provides care for children and families." I think that's the basis of this whole resolution. They are "wholeheartedly behind this resolution and its implications for ensuring excellent care for young children in Ontario."

Once again, I'm behind this resolution too. I thank the member for York-Mackenzie for bringing it before us today.

Mr Randy R. Hope (Chatham-Kent): As my colleague opposite Mr Beer, the member for York-Mackenzie, has brought the issue forward, I think it's a valid one that we need to work on. I know he carried at

one time the portfolio of the Ministry of Community and Social Services and understands the issue around the professionalism, because he used the word "professionalism." Some people still accept child care as a babysitting service in some communities. It's now becoming more evident that it is required as a professional, and people are trained as professionals during this process.

He also indicated documents called Children First, Yours, Mine and Ours and Starting Points. He talked about the committee, which is examining this issue and early detection and early prevention of high-risk children in our society. I believe the reports were very clear that we need to make sure that in the early years of our children we're developing and making sure that we do prevention in the most important way and also do detection. Detecting disabilities or children at high risk is very important for anyone, and especially for society, not necessarily the government. It's very important for a community.

I understand the attention that the member is trying to get in developing legislation extensively. I'm questioning whether it can be done so quickly, because I fully support the intent of the resolution, the intent of early childhood educators to improve the quality of child care. I know that the association presented a brief to the ministry staff this spring. Staff have been working with the association—and I know that even when you were there, Mr Beer, there was work going on through that process—in trying to develop a working plan that can be established. I know that they have made a presentation to the ministry. I also know that they have laid out in the presentation a sketch and the needs considered in order to make this work.

However, dealing with the legislative requirement—everybody always refers to legislation, that legislation is required—I believe that through amendments in regulation, making the regulation changes, we can improve the process. It's not only legislation in order to meet time lines and to put programs into place.

1120

I understand what he's saying about a self-regulated body, but it's important for us to move in a process in which we can start to address some of the concerns that were expressed in a document by the Premier's Council—Yours, Mine and Ours—and work towards the ultimate goal of legislation to create a self-regulated body. But we as a government and as a Legislature can move very quickly on improving things in the work that is already there without having to bring legislation forward.

Qualifications: We need to address that. We could amend the number of qualified registered ECEs and put more time in place. We should continue to establish and approve courses of instruction. We could provide for granting of certification for those who are graduates already. This is one of the ways of helping the professionals, with certification of this process.

As we move forward in addressing it, I don't believe only the province should do it. I know the federal government's commitment to child care and establishing better child care. I believe we need a national strategy to

making sure we are looking after our children throughout this country and throughout this province.

I believe the government's intention is still to move forward. I know the member opposite is very sincere about this, because during the committee process we all are very interested in resolving the problems facing our young people. As our society becomes more of a two-income society, with more dependency on the system or for child care to be provided for our children, we want to make sure everything is in place so we do not run into high-risk children in our communities.

But I have a very serious problem, and I don't know if it can be achieved. It's the legislative requirement of 1994, and I'm being sincere with the member. I fully support the resolution that has been put forward. I understand clearly. We should have done this years ago; we always say we should have done things years ago.

I just know that with the presentation that was done to the ministry in the spring—as a matter of fact, the ministry is even going to be attending a planning workshop tomorrow—the government's commitment is still there. I'm wondering if we can move very quickly to establish the legislative requirement that will be needed to make this thing move forward.

If the year 1994 wasn't there, you'd have my total support, but I'm afraid to mislead individuals into thinking it's going to be achievable. We always hear people say: "You have to have full conversation. You have to make sure you involve the groups. You have to make sure we can get all-party consent to expedite this legislation." Usually, once we get legislation in the House, it gets stalled. We need to make sure that all partners are involved in this process so that when legislation is tabled, it is expedited through its normal process so we can establish the criteria needed for these professionals, needed by the families and the children of our communities so we can try to start to eliminate some of the problems that exist in our communities around high-risk children.

To the member opposite, I respectfully regret that I will not support the resolution based on the 1994 legislative year, but he has my total support in his resolution, which he has clearly put forward.

Ms Dianne Poole (Eglinton): I am indeed pleased to enter into the debate today. I certainly feel that our primary role as legislators is always to ensure that whatever policy, whatever legislation, whatever direction we take, we'll protect our children. That is something I think we actually have unanimity on in this Legislature, and I can tell you from experience over the last seven years that there are very few issues in this Legislature that we are unanimous on.

I guess the question is, how do we do this? We have to protect our children in many ways. We protect them by ensuring that the care they need is there. We ensure that their future is protected. And that's why even the deficit is a child's issue and an issue for the protection of our children: It's that generation that indeed is going to end up having to share and deal with our legacy.

Having said that we as legislators believe in the

protection of our children, what does that have to do with the resolution by the member for York-Mackenzie that is before us today? First of all, I would like to commend the member for York-Mackenzie for bringing this issue forward.

We all know that over the past 20 years the role of women in this province has expanded. At one time, we were primary care givers and many of us did not work outside the home. But that has changed over succeeding decades to the stage where in the last 10 years many women have gone back into the workforce, and those women have children. While men in our society have taken much more of an evolutionary role towards caring for the children and men are in many cases sharing that role today, there still becomes the problem: If the women go back into the workforce, who is to care for our children? So there's been a dramatic increase over the last 10 years in the need for childhood educators.

As the member for Chatham mentioned, some people still believe this is babysitting, but there are many members of this Legislature who do not believe that to be true. We are educating our children, we are informing them, we are guiding them, we are nurturing them. All this is provided in early childhood education.

The question is, do we need certain standards in the guiding of our children? Of course we all say yes, there must be standards, and we know the Day Nurseries Act provides standards, but I would point out to you that they are minimum standards. What we need here for early childhood educators is a clear indication that they may set standards, that they may set accountability mechanisms for their profession, that in fact they can ensure the quality of child care in this province.

The member for Port Hope, I believe it was, said he's concerned about the timetable. This timetable is a goal, because we all know how long it takes us to do anything in this dysfunctional Legislature. We have to have a goal. We have to have a time frame. But I for one—and I'm sure the member for York-Mackenzie will make the same pledge today—we will say to the government that if you with goodwill go forward with this draft legislation, and if it comes to December and you find you need some more time, we will say: "Yes, let us work together. We will grant you that time." We just want to set a time frame so that it doesn't drag on for ever.

There have been questions, not only, "Why do we need this?" but also, "What about the cost?" The cost is not going to devolve on government.

Somebody has just told me that Randy Hope is the MPP for Chatham-Kent. I thank the member for that information and correct the record.

The cost of this will not be funded through taxpayers' dollars. It will be funded through membership of the organization and through other revenue-generating activities. It is probably the Association for Early Childhood Education, Ontario, that will take the lead in this, because it is the largest group involved in this issue and it has certainly taken the lead in bringing this to the fore, but that has yet to be determined.

The important thing is that this is not a measure that's

going to have a lot of cost to the taxpayers. This is a measure to ensure accountability, to ensure standards, to ensure that the quality of child care is upheld.

Some people may say that we have a diploma or a degree in early childhood education provided by either Ryerson, where it is a four-year degree, or by many of our community colleges, so there's already a standard. I say to them that I suspect most of the members of this Legislature have degrees of one sort or another; I would also submit that because we've gone to university it does not mean we're competent, it doesn't mean we're qualified, it doesn't mean we're aware of standards, it doesn't grant some right to know what we're doing. I also don't mean to imply that those of us who are university educated don't know what we're doing.

I'm saying, let's make sure that early childhood educators who come out with a substantial body of knowledge are aware of the ethics, the standards, and very high standards, that we must meet in the care of our children. Let's have that extra measure of security. That's all we're asking for. We aren't asking for an onerous system. We aren't asking for bureaucratic regulations. We're asking for a very simple thing: Let us ensure the quality of child care in this province, and that those who are providing that care have the highest standards possible.

I ask all members of this Legislature to support the member for York-Mackenzie. I thank him for bringing it forward, and I think it's indicative of his care for children and for the care of children by all members of this Legislature.

1130

Mr Cameron Jackson (Burlington South): First of all, let me say that I am delighted to be able to speak in support of the resolution. Throughout my political career, both 10 years as a public school trustee in Halton region and nine years here in the Ontario Legislature, I have had occasion to work closely with early childhood educators. I've watched the progress and the development of their professional accreditation and the work they do, and I'm pleased today to join my colleague from York-Mackenzie with this appropriate resolution.

I've come to respect and appreciate the work of the early childhood educators' organization. I'm not sure whether my colleague mentioned it earlier, but they formed in 1950, so they have a rich history of contribution and certainly were there at the beginning of the development of the growing need and the awareness of early childhood education in this province, whether in the form of formal or informal day care or earlier entrance to school, or the Montessori movement, perhaps more expensive but still a form of earlier access to educational opportunities for our children.

Today I want to set out some of the concerns I have, not with the approach that's being taken, because I fully support that, but what I think is some of the hazardous turf this organization is about to embark upon if in fact the resolution comes forward. But having listened to the parliamentary assistant to the Minister of Community and Social Services for this province, I sense that the government will not be supporting this bill and therefore, unfortunately, in spite of the protestations that this is an

open and free-vote forum, it may not succeed. That would be truly tragic, but it would be not inconsistent with the government's approach in these matters around Community and Social Services support agencies and the work they do in this province.

I can only say, to put on the record very clearly, that the NDP government of Bob Rae promised adoptees and adoption agencies in this province that it would bring forward legislation, and when push came to shove, the minister, Mr Silipo, bailed out and said, "No, we're not going to do it," and a private member of the Legislature had to bring forward an agenda based on the promises made by the minister and Bob Rae's government that they would proceed.

I cite the second example, which is now about a year old, of a social worker act for Ontario, the exact same situation: a legitimate request to formulate professional accreditation with standards of practice and disciplinary actions that are necessary for very noble and worthwhile purposes in this province because of the unique work in social services and education involving children and vulnerable people, that the social worker act should be promoted. Again Bob Rae and his government promised it, but when push came to shove, they pushed it and shoved it off to private members' hour and it has disappeared somewhere in the bowels of one of the ministries, if in fact it's being looked at at all.

So now we come to this third one. I believe this is only the third bill in social policy or social-educational policy or human resources policy within this government that deals with the notion that it's time we got on with formulating a professional accreditation and regulation framework for them.

I don't wish to be a pessimist, but when Tony Silipo, the minister, promised this group on May 22, 1993—and Mr Beer and I were in the room at the time he promised it, each representing our respective caucuses. We were present for it. We had unanimity, we had agreement. The member for York-Mackenzie, to his credit, worked closely with the organization and put forward a private bill as well.

But the government has again seen fit to abandon that third promise to the third group of persons working in the social policy field to say, "No, it's off; I didn't really mean what I said." So now we're here before the Legislature with a private bill which should be supported by all members of the House, which, for reasons, the government is saying no to now.

One has to ask, why is the government saying no to this? Why would the NDP government of Bob Rae, who made so many promises in the last election about day care and early childhood education, abandon the interests of these cornerstone, front-line workers who provide the professional services? Why would he abandon that?

We can speculate that one of the aims and objectives of any professional accreditation group is to enhance their wage package, to make it more equitable, to make it relative to the work done by a teacher in a kindergarten classroom and to look in comparative terms on those salary scales.

That's pretty intimidating to the government of the day, because they are the primary funder of day care in this province. We won't get into the debate of commercial day care versus non-profit day care, but that's the chosen direction of the government. Every time they destroy a private centre and engage in creating a new government-run facility, they are creating a straight-line debt to the government and less so to those people who pay a portion of their day care services.

This puts incredible pressure on the government's current overextended budgets, and it seems rather ironic that the very ideological motivation for expanding day care may ultimately be the very reason why the government is saying no to this organization, because, "Once we regulate you, your salaries are all going to go up."

If that's what the government's game is, I think it's wrong and it's inappropriate. People should be compensated fairly and equitably in this province for the work they do. The work of early childhood educators is of a very, very high quality and they need the authority to make it even better, make it even better because, as a regulatory body, they can discipline those members who act out.

During the debate on a social worker act, we were dealing with a case of a person who was working with children, had sexually assaulted a child, but because there wasn't a framework of regulation, this person was allowed to serve time for the crime of sexually assaulting a child but then could return to that profession because there is no professional regulation.

In fact, in many respects that's the same situation. I have been fighting for a case of a small child who was sexually assaulted in a day care centre in Halton, and the case was never taken to court because they felt there was insufficient evidence. But that individual is still out there, working in a day care centre. It's absolutely, fundamentally wrong. If we had a regulatory body, government could say: "Look, this is your own member. You discipline and you set some standards. Talk to us as a government and tell us what we would do to ensure the safety of those children." There are some really valid, strong reasons for the concept of regulation and those are supportable.

I will indicate to the early childhood educators that I don't want to leave the issue of salary scale, because sometimes organizations are used by governments, who say, "You back us up and say nice things about some of our moves on day care and then we'll promise you, quietly on the side, that we'll bring in your act to support you." This goes on all the time.

But the fact is that when bump funding occurred for day care workers in this province, it was only given to those women workers in non-profit day care centres. I was disappointed. I had hoped that the early childhood educators would have supported fully the notion that all women workers as early childhood educators deserve to be treated the same, and not to have fallen into the trap the government had made: to create a definition that early childhood educators were scab labourers if they worked in a private centre, but if they worked in a non-profit centre they were deserving of equity and funding and

enhancement. These would have been terribly underpaid, highly professional women workers in this province, and I was rather disappointed. Sometimes organizations fall into the trap of saying yes to the government's actions, when in that case they discriminated against a whole group of predominantly women early childhood educators.

I wish we had more time in this debate. I wanted to speak about the seamless day and how this organization could be a very powerful tool to help develop a seamless day for our children. I will be supporting the bill and I thank my colleagues.

1140

Mr Tony Martin (Sault Ste Marie): It is indeed a pleasure to rise today in this place and speak with regard to this subject and to lend some support to the member for York-Mackenzie in his efforts to get some recognition for this profession and to get this issue put on the table so that some of us are speaking about it. Certainly, it is being spoken about in many other venues and in many other rooms around this precinct, but this is the first time in this package that it has come to the Legislature so that we could have this more formal debate and discussion around the resolution that he has put forward.

I join with him and the members for Eglinton, Burlington South and Chatham-Kent in speaking, and speaking very positively, about the contribution that the professionals who work in this field offer by way of their time, their energy and their talent and to recognize the tremendous effort and time and resources that they themselves have put into preparing themselves to work in this field. It is certainly an important field. I don't think there's anybody in this place who would in any way suggest that we shouldn't be putting whatever resources we can get our hands on into making sure that this field of early childhood education is given an opportunity to do the job that we all know is necessary in today's society.

So I have no difficulty in supporting this resolution. I do, though, in parallel with my colleague the member for Chatham-Kent, have some difficulty with some of the time frame in that this is a big subject, quite complicated, and I think it deserves, because of the importance of the subject, some discussion and whatever discussion is required to make sure that we do the job right from beginning to end and that we don't end up in a situation, as we do so often around this place, where we're trying to ram something into a short time frame, get it done to appease one particular group, and in the end make less than the best job that is possible happen around it.

I've had some very brief discussion with the member for York-Mackenzie here this morning telling me that if that is the only issue that would get in the way of us supporting this, then we can talk about that. He put some time frames in so that this thing doesn't drag on for ever, so that there's some block of time that we're looking at, and I appreciate that and understand that. I think it's important that we do give ourselves some targets, some time lines, and if you're flexible in that, certainly I think we can work together to move this thing forward and get it done in a timely fashion.

I just wanted to raise a few issues this morning that

come to my mind as I look at this that I think we need to consider as we look at this particular piece and try to do something with it that will be in fact helpful in the long run. It comes to me from my previous work in the community. My wife is an early childhood educator—at least was before we started to have kids. I have four small children, so she's an early childhood educator in another sense.

Mr Jackson: She still is.

Mr Martin: She still is, yes. Certainly, watching her and watching her interact with her colleagues I've come to a greater appreciation and understanding of this field. I've also had some significant interaction with the folks in Sault Ste Marie, my home riding, who work very hard at making sure that in our city there is every opportunity for young people to get the best that there is possible by way of early formation.

I also sit, as some have referred to here, on the standing committee on social development and have sat in on a number of interesting discussions over my three and half years here around the question of the kinds of provisions to be put in place for the development of young people in our communities, the mental health of young people in our communities, and have found that very stimulating and interesting and helpful.

I also sat for a long period early in my time here on this committee looking at the whole question of the Regulated Health Professions Act, which talks to me as well about how complicated this kind of thing can become. So I have some understanding of the complications that can happen.

Just a couple of thoughts. It seems to me that we have to be in this very careful that we understand that the care of children is not just the jurisdiction of one particular group of people, however trained and prepared to do a very good job at that. In putting this piece of legislation together, we need to know how this particular group of professionals will interact and fit into that whole mix of things that are out there.

I think it's somebody out of the native community who said it takes a whole community to educate a child. I certainly believe in that. In getting our heads around this particular initiative, we need to be looking at how this professional group interacts with other professional groups and indeed the rest of the community out there.

The other piece that I'd like to put on the table as something we need to look at as well is the question of what we're doing in education today around lifelong learning and, as the member for Burlington South referred to, this issue of seamless service, not seamless just in terms of a day, but from birth to death. Certainly the early childhood piece, in terms of education, is one of the most critical and crucial of the pieces that we look at.

In the Ministry of Education, in which I have served for three and a half years as parliamentary assistant to the minister, we're looking at the question of early childhood education and how it fits and how we best deliver that in the community. I think we have to get a ways down the road with that as well so that we're not putting the cart before the horse in any sense, so that all of this fits

together and moves forward in a way that is consistent and supportive, one piece to the other. So those are two pieces that I put on the table that we need to look at.

I think this is a worthy initiative to support. I will be supporting it, with the proviso that we have to be careful about the time lines. We need them but we can't be bound by them.

I congratulate the member for bringing it forward and look forward to further activity in the not-too-distant future.

M. Jean Poirier (Prescott et Russell) : C'est tout un honneur pour moi de me lever aujourd'hui et d'appuyer mon bon collègue le député de York-Mackenzie.

Ne me demandez surtout pas si je suis surpris qu'un tel individu ait présenté un tel projet de loi. Je ne suis pas surpris ; il est tout à fait normal. C'est bien typique de l'engagement de longue date de mon collègue le député de York-Mackenzie de présenter un tel projet de loi pour la reconnaissance législative des éducateurs et des éducatrices de jeunes enfants en Ontario.

Il est évident que ce projet de loi est requis, et ce depuis très longtemps, requis parce que, entre autres, au cours des 10 dernières années le système de service à l'enfance a vécu une expansion fulgurante. De plus en plus d'éducateurs et d'éducatrices de jeunes enfants offrent leurs services à travers la province, à l'extérieur des foyers et un peu partout. On sait très bien que les familles sont de plus en plus mobiles, avec des carrières et des emplois à poursuivre, d'où un besoin d'offrir une gamme d'options plus adaptées aux besoins de ces familles.

Évidemment, toute cette expansion fulgurante ne s'est pas faite sans problème. Par exemple, les éducateurs et éducatrices ont ainsi acquis une responsabilité accrue face aux enfants. Il y a aussi de plus en plus de demandes de services, les attentes des parents et des familles et, tristement, le gouvernement s'admet débordé dans ses capacités de surveillance et d'inspection.

Mais quels sont les points forts de ce projet de loi ? Pour moi, il est très évident que le projet de loi aidera à standardiser les normes de services à l'enfance. Il augmentera la protection offerte aux enfants et aux familles. Il pourra ajouter aux normes de la qualité du service offert aux enfants et aux familles.

1150

Il y a une chose qui est très évidente également : que le projet de loi a joui d'un appui massif auprès des intervenants intéressés au dossier de service de l'éducation des jeunes enfants. Je salue tout particulièrement les représentants ici présentes de l'Association ontarienne des éducatrices et des éducateurs de jeunes enfants. Cette association-là a préparé un sondage auprès d'intervenants, et ce sondage a démontré un très vif intérêt, un très vif désir d'une telle reconnaissance législative.

Les gens veulent voir la mise sur pied de normes, de pratiques et d'un code de déontologie avec un mécanisme de surveillance et de discipline. Ils veulent voir également la mise sur pied de normes d'admissibilité. De plus, les répondants ont dit vouloir le développement d'un processus pour apporter librement toute infraction perçue au

code de déontologie et d'un processus d'adhésion libre à un regroupement d'éducateurs certifiés. Je pense que ça fait longtemps qu'on le demande. Ça fait longtemps que l'Ontario est prêt pour ce genre d'association de reconnaissance législative.

Vous vous rappellerez, il y a quelques années j'avais présenté un projet de loi similaire pour faire une reconnaissance législative des traducteurs et des interprètes de l'Ontario. Ça a été adopté à l'unanimité quelques mois plus tard et ça a été une première à l'échelle mondiale. On me dit que, malheureusement, ce projet de loi-là ne serait pas une première à l'échelle mondiale, mais quand même ce serait évidemment une première à l'échelle de l'Ontario. Ce n'est pas un luxe ; c'est une nécessité.

Ce que la société est en train de vivre, et ce depuis nombre d'années, et ce que la société va vivre au cours des prochaines années : il est évident qu'une reconnaissance législative de ces éducateurs et éducatrices auprès des jeunes enfants de l'Ontario est un besoin qui est présent.

J'espère que tous les députés présents et députées présentes daigneront accorder dès aujourd'hui un appui à l'unanimité à ce digne projet de loi visant une reconnaissance très honorable à un groupe d'individus qui fait de l'excellent travail auprès des jeunes de l'Ontario.

J'ai entendu les craintes de mes deux collègues néo-démocrates face à l'échéancier de la mise sur pied d'un tel projet de loi. J'espère sincèrement que cette crainte qu'ils expriment, et que je regrette, ne les causera pas à ne pas appuyer ce projet de loi-là.

Vous avez dit clairement que vous êtes inquiets de l'échéancier. Bon, soit, ça c'est votre perception, mais sachez, et je le dis ça sans méchanceté, que j'aurais pensé que votre gouvernement aurait apporté ce genre de projet de loi il y a déjà très longtemps. Puisque vous ne l'avez pas fait, mon bon ami le député de York-Mackenzie le fait.

Mais ce n'est pas le temps d'être partisans, parce que les besoins des enfants sont là, ils nous attendent. Cette reconnaissance législative également est dû depuis longtemps.

Donc, j'espère que tous et toutes ensemble, nous daignerons accorder un appui unanime dès aujourd'hui et que mes collègues du parti gouvernemental s'affaireront d'une façon diligente à encourager leurs propres collègues qui siègent au Conseil des ministres à développer et à faire reconnaître et à passer en sanction royale dans les plus brefs délais, tel que demandé par mon collègue de York-Mackenzie, à demander et à voir à ce que, très prochainement et aussi prochainement que possible, l'on puisse voir apporter en Chambre un tel projet de loi, celui de mon collègue de York-Mackenzie, qu'on y aille de l'avant et que ce soit réalisé dans les plus brefs délais.

Je m'en voudrais, avant de terminer, de ne pas souligner l'excellente contribution que fait l'Association ontarienne des éducatrices et éducateurs de jeunes enfants jusqu'à présent, d'appuyer notre collègue de York-Mackenzie, qui présente en Chambre aujourd'hui ce projet de loi.

Je souhaite, je le répète, que tout le monde va voter à

l'unanimité au nom de l'enfance et des jeunes enfants en Ontario.

Mr Noel Duignan (Halton North): I'm very pleased to stand and speak, for the very short time I have, in relation to the private member's resolution in regard to early childhood educators in this province.

While I'm in full support of the intent of the resolution by the member for York-Mackenzie, I do indeed have some problems around the time frame suggested by the member. I believe this is such a very important issue that we need some time for in-depth discussion and analysis with respect to the accountability mechanisms, roles and responsibilities related to drafting and regulating the profession. I believe that is required before any legislation could be drafted.

I believe there are many opportunities where we can work with the professions outside of the regulations. For example, we could begin to look at how we can set standards for staff qualifications; look at other mechanisms for improving quality, including enhanced training; board accountability; site accreditation etc. Those are some of the areas we could look at outside of legislation, but I indeed welcome the very brief opportunity I have to get up and support the intent of the member's resolution.

With four kids going through the school system, I know how important early childhood education really is. I support the intent of the resolution, but I do have some problems with the time frame suggested by the member. Because of that, I feel I will have to be voting no on the resolution.

The Deputy Speaker (Mr Gilles E. Morin): The member for York-Mackenzie, you have two minutes in reply.

Mr Beer: I want to thank all the members who have participated in the debate for the support they have given to the basic intent of the motion.

I'd like to address the concerns around the timing, because I would like to urge the government members to support this motion. I think it's important that we do try to speak with one voice on this, and perhaps I can say some things in my closing remarks that will give you a way of supporting it. It is not put forward in the sense of trying to put you on a particular hot spot. The reason that we put in the reference to the end of the legislative session—if you look at the wording it refers to draft legislation.

I know, and as my friend and colleague the member for Chatham-Kent has said, there has been a lot of work going on between the government and the association to do with this issue and others that relate to child care, and I think on the whole it's a good working relationship. In any government, whether it's you or us or the third party, there are always going to be some issues and some problems, but I think the reason we put that date in and what we were after was to just give it some impetus.

Reference has been made to the RHPA and other regulatory acts that we've dealt with. I know we don't want to spend 10 years on this, but I think we've learned a lot, quite frankly, from going through that specific exercise that will help us.

With respect to the time frame, we see that as a goal. Certainly, it may be that we arrive at the end of the fall where a lot of work has been done but a specific legislative act can't be presented to the House, or where perhaps the government has in the fall or at some point decided to issue a white paper that may include, as the original RHPA did, draft components they want for discussion.

I think that is fine, and I'm not going to stand up and say that the member from Chatham-Kent is a miserable whatever and whatever, because he's not. But I think what is important, and what is important to the representatives from the association and for those who are involved in early childhood education, is a clear sense that we in this legislative body are seized of the issue, that we see it as being terribly important in terms of the provision of good-quality, accessible child care and that we want the early childhood educators to be a key part of that as a professional self-governing body. I believe that is the goal they have.

I am optimistic, quite frankly, that with the work they have done and the work that has been ongoing, we have a chance to bring in draft legislation. But I say to the government members, let's not get hung up on that. I think the intent is just to set a good, strong working pace, and if we can do that I think that is sufficient, and in 1994-95 we'll get this thing dealt with. So I again urge all members to support this motion.

The Deputy Speaker: The time provided for private members' public business has expired.

GREENHOUSE GAS EMISSIONS

The Deputy Speaker (Mr Gilles E. Morin): We will deal first with ballot item number 61, standing in the name of Mrs Carter. If any members are opposed to a vote on this ballot item, will they please rise.

Mrs Carter has moved private member's resolution number 44. Is it the pleasure of the House that the motion carry? Carried.

EARLY CHILDHOOD EDUCATORS

The Deputy Speaker (Mr Gilles E. Morin): We will now deal with ballot item number 62, standing in the name of Mr Beer. If any members are opposed to a vote on this ballot item, will they please rise.

Mr Beer has moved private member's resolution number 43. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

I declare the motion carried.

All matters related to private members' business have been debated. I will now leave the chair, and the House will resume at 1:30.

The House recessed from 1202 to 1330.

MEMBERS' STATEMENTS

KIDNEY DIALYSIS

Mr Frank Miclash (Kenora): My statement is for the Minister of Health. The Minister of Health will be aware that there is a great need for expanded dialysis services at the Lake of the Woods District Hospital in my riding of Kenora. I have received many calls and letters from

people throughout the riding who have relayed to me their frustration and concern over this issue.

In particular I would like to bring to the minister's attention the case of Virginia Zroback, who is a resident of Kenora and one of many who has to travel to Winnipeg three times a week for treatment. Mrs Zroback and her husband, Carl, travel every Monday, Wednesday and Friday for a total of 18 hours per week by car out of the province to receive care that is not available to her in Kenora.

I understand the frustration of Virginia and Carl Zroback and their two children, and I regret that this government and the Minister of Health have chosen to overlook this issue. Clearly, for the minister to ignore the plea of people such as Virginia and Carl and many more in my riding is cruel and unjust.

I would like to know when this government will review the request of the Lake of the Woods District Hospital board for funding and when the people who desperately need this service will no longer have to leave their families and homes to travel outside the province for this service.

I am told that the board members and the district health council have acknowledged the need for expanded dialysis service at the hospital and have made a request to the Minister of Health for assistance. Apparently the only thing that is holding up the funding for this service is the minister's signature.

How long are people like Virginia and Carl and many other families expected to wait before this minister and her government provide the services that my constituents deserve and expect from their government? Northerners are tired of being ignored by this NDP government.

VICTIMS OF CRIME

Mr Cameron Jackson (Burlington South): I rise to inform all members of the House that the second annual Memorial Conference for Victims of Violence will be held on Sunday, June 12, at Brant Bible Church in Burlington.

The event is organized by Debbie Mahaffy to honour the memory of victims of crime. It is also a time for the victims' families to join together with those who try to share their burden of pain and to promote victims' rights and the reform of our justice system.

The conference is held annually on or near June 15, for it was on that day three years ago that the Mahaffy family first learned of the disappearance of Leslie. June 15 represents the experience of prolonged victimization suffered by all crime victims and their families.

This conference is not just a memorial service. It is a time for all advocates for victims to rededicate themselves to the cause of reforming Ontario's justice system, which continues to have its primary focus on the criminal rather than on the victims and their families.

Last year, at Debbie's personal request, I tabled private member's Bill 86, An Act to establish a Victims' Memorial Day in Ontario as a day to help increase public awareness of victims' rights. On their behalf, I appeal to Bob Rae to go beyond condolences and to respond to their pleas for justice with decisive legislative action, as

outlined in several private bills before this House such as Bill 19, An Act to establish the Rights of Victims of Crime; Bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime; Bill 148, An Act to amend the Coroners Act; and Bill 150, the Registration of Pedophiles Act.

The families of crime victims look to all members of this House to protect their rights. As Priscilla de Villiers stated, "Believe me, everyone can become a victim."

FRED PARGETER

Mr Ron Hansen (Lincoln): I rise today to pay tribute to a D-Day veteran from Smithville, a fine man who unfortunately passed away six weeks before the 50th anniversary of D-Day.

Fred Pargeter was in his mid-80s when he died, but those who knew him say he had the vigour of a much younger man. He was involved in countless community activities. Fred is best remembered as the sergeant at arms at the Royal Canadian Legion, Branch 393, in Smithville, for his hard work on the board of the Legion Villa senior citizens' complex, and no one will forget his witty sense of humour.

Although he was proud to be one of the many soldiers who helped liberate Europe, Fred never played down the horror of war. During Poppy Week each November, Fred urged local school children to remember those who fought and died for our freedom.

In 1991 Fred was kind enough to tell his D-Day story to the local newspaper, a story I'd like to share. According to the article, the most terrifying part was hitting the beach. Bullets and exploding mortar shells were everywhere. He described it as hell and said a lot of good men were lost. Fred's own landing craft was immediately sunk by fire, but the jeep he was in touched down in the surf and made it to shore. Eventually they fought their way inland, and the rest is history.

I'd like to thank Fred for his valiant effort. If Fred were alive today, he'd probably give me hell for bringing attention to his story. He was a modest man with a big heart and he will be missed.

VETERANS' HOUSING

Mr Monte Kwinter (Wilson Heights): There are over 250,000 veterans and their families in Ontario. Now some of their comrades need help with their housing. These veterans require the housing now, and instead they're getting a snow job by the Ministry of Housing.

It is an unmitigated disgrace that this government continues to stall these needy veterans who in their youth served their country faithfully. Many of them fought on D-Day and want to know where their housing is today. This group is not getting any younger and their housing needs are getting more acute.

The war veterans have applied to the Ministry of Housing and the Jobs Ontario Homes program for a funding commitment for their Wingate Manor non-profit housing project.

Hon Evelyn Gigantes (Minister of Housing): Do you support the moratorium?

Mr Kwinter: This very deserving group has applied

for funding on three separate occasions, only to be met by a blitzkrieg of paperwork. They have made many sacrifices for our country and a more deserving group cannot be found. They were flying planes for Canada against the Nazis long before Flying Toad ever existed, and I would say that they should be given the kind of consideration they deserve.

Hon Ms Gigantes: Well, tell them you want a moratorium.

Mr Kwinter: It isn't a matter of whether or not there is a moratorium; there are housing units being allocated, and you will not find a more deserving group. This is a group that is deserving of the government's support.

THOMAS R. MOORE

Mrs Dianne Cunningham (London North): It is a privilege to honour a colleague and friend. Today in London we are celebrating the retirement of the greatest parliamentarian this province has known since the Honourable John P. Roberts.

I refer of course to Thomas R. Moore, executive secretary for the London Board of Education. Tom single-handedly kept faith with Robert's Rules of Order and ensured that trustees always spoke only to the topic at hand and never exceeded their allotted time. Would that Mr Moore's skills were evidenced in this House—well, with a few exceptions.

I had the privilege of working with him when I was a trustee from 1973 to 1989. My friend Mac Parkinson and I often blamed Tom for encouraging us to get into politics after our frustration at not being allowed to vote on the board's budget committee.

He was a committed person to students, teachers, staff and trustees; a prolific writer, educator, historian in charge of archives; president of the Ontario Association of School Business Officials; campaign chair for the American Association of School Business Officials president Jack Morris, and the list goes on.

We worked together on many board projects. We attended professional development seminars where we learned and presented. The OASBO and AASBO conferences provided us time to visit, travel and argue educational issues.

Tom is a gentleman and a scholar. His contribution to education in London was significant. The Board of Education for the City of London will never be the same. We will miss him very much and extend our best wishes for good health and happiness to Tom, Alice and his family.

1340

ETHNOCULTURAL COUNCIL OF LONDON

Mr David Winninger (London South): I rise in the House today to congratulate the Ethnocultural Council of London on the success of its recent forum on multiculturalism and education. Through presentations by a panel of speakers and lively debate and discussion, this forum raised awareness and explored a number of issues.

Professor Peter Chimbos examined multiculturalism in the Canadian context and highlighted its essential role as a bulwark of unity. Dr Jean Hewitt, superintendent of schools for the London Board of Education, stressed the necessity of equity and multiculturalism in creating a

strong framework for our educational programs. Merv Caldwell, London education officer for the western Ontario region, discussed ways in which the success of the international languages program relies on the work and involvement of the entire community.

Over 15 ethnocultural groups from London were represented at this event, held at the Ukrainian Cultural Centre in London.

Increased awareness, exploration and open discussion: these are the beneficial outcomes and examples of the positive process used in this forum on multiculturalism and education.

In concluding, I recognize London ethnocultural council president Lionel Worrell for his work in organizing this event. Such forums offer an excellent opportunity to build unity through diversity.

CARE OF ALZHEIMER PATIENTS

Mr James J. Bradley (St Catharines): I am rising once again in the House to plead the case of Alzheimer patients and their families and friends, who are all impacted by the inadequate facilities and services available to meet the medical needs of an extremely vulnerable group of people in our society.

It is not uncommon for family members to call the constituency offices of MPPs to ask if there is some way that the Alzheimer patient in their family can be moved to the top of the waiting list for admission to a medical facility that can deal with the very difficult challenges presented by people suffering from the advanced stages of Alzheimer disease.

Naturally, it would not be appropriate for political representatives to insist that a particular patient be moved to the front of the line and that others be required to wait longer.

What is appropriate, however, and what I'm doing again today, is requesting that the Minister of Health provide adequate funding to ensure that more beds are available in nursing homes to serve the needs of Alzheimer patients and that home care and respite services be increased to alleviate the unfair and tragic burden now being borne by family care givers who themselves are facing mental anguish and physical fatigue as they struggle to assist a person dear to them.

Those seniors' homes, such as Linhaven in St Catharines, that serve patients at this time have experienced greater difficulty in assisting Alzheimer victims because of inadequate provincial funding. Let's remember those who themselves cannot remember by investing in the kind of care that seniors with Alzheimer deserve.

OPTIMIST CLUB ANNIVERSARY

Mr David Tilson (Dufferin-Peel): I rise to acknowledge the worldwide celebration of 75 years of Optimism. Optimist International is one of the world's largest and most active service organizations, with over 165,000 members in 4,200 Optimist Clubs across the United States, Canada and the Caribbean. Following their motto, "Friend of Youth," Optimist Clubs annually conduct over 60,000 service projects which reach out to five million young people. For 75 years, Optimist Clubs have taken a hands-on approach to youth and community service.

Optimist Clubs were formed in response to the major social change brought on by the Industrial Revolution. The first official Optimist Club was started in Buffalo, New York, in 1911.

The Optimist creed best conveys what being an Optimist entails:

"Promise yourself...To be so strong that nothing can disturb your peace of mind. To talk health, happiness and prosperity to every person you meet. To make all your friends feel that there is something in them. To look at the sunny side of everything and make your optimism come true. To think only of the best, to work only for the best and expect only the best. To be just as enthusiastic about the success of others as you are about your own. To forget the mistakes of the past and press on to the greater achievements of the future. To wear a cheerful countenance at all times and to give every living creature a smile. To give so much time to the improvement of yourself that you have no time to criticize others. To be too large for worry, too noble for anger, too strong for fear and too happy to permit the presence of trouble."

I congratulate the Optimist Clubs of North America.

NORTHLAND POWER PROJECT

Mr Gilles Bisson (Cochrane South): I rise today to extend my congratulations to the community of Iroquois Falls after a year and a half of hard work and being able to secure the Northland Power project to its community.

Members would know that back in December 1992 Ontario Hydro made a fairly difficult decision around non-utility generators and froze the applications of a number of proponents before Ontario Hydro at the time to construct non-utility generating stations. At that particular time, Northland Power had before Hydro a project of some 150 megawatts that was going to be constructed in the community of Iroquois Falls.

What's interesting to note, and why I want to congratulate the community, is that rather than turning on each other and turning on us, what we ended up doing is working together: Northland Power with the people there, Mr Timerty, Mr Brown and others, working with the mayor and council, Mr Brown and his council; working with the community through the unions in that community, what used to be the Canadian Paperworkers Union back then, Jim French, Ed Godfrey, and a number of others I haven't mentioned; working with the economic development council, with the downtown business association, the chamber of commerce and, most importantly, the citizens of Iroquois Falls and other citizens around northeastern Ontario.

We managed to work together in order to demonstrate to Ontario Hydro that this was indeed a project that was viable to go ahead, not only important to Northland Power but important to Abitibi, because what this project will do in the long term is not only to create much-needed employment within the community, but to secure the major employer there, Abitibi.

My congratulations to the community of Iroquois Falls for the job well done. Finally we can go ahead with this most worthy project.

MEMBERS' EXPENDITURES

The Speaker (Hon David Warner): I beg to inform the House that I have today laid upon the table the individual members' expenditures report for the fiscal year 1993-94. The members will find a copy in their desks in the chamber.

VISITOR

The Speaker (Hon David Warner): I would invite all members to join me in welcoming a former member of the assembly seated in the members' gallery west, the former member for Don Mills, Mr Murad Velshi. Welcome.

STATEMENTS BY THE MINISTRY AND RESPONSES

CAPITAL FUNDING FOR SCHOOLS

Hon David S. Cooke (Minister of Education and Training): I'm pleased to inform members today that the Ontario government has approved \$620 million in capital funding for school boards.

This funding extends our commitment to building facilities for quality education in which students can learn and grow. It continues the province's practice of committing capital funds to school boards for future years, which has been a feature of Ontario's school capital funding program since 1989. It also continues the policy of providing funds for the construction of quality child care settings in school facilities.

As minister, I have visited schools throughout the province. I have seen the contribution that first-class facilities can make to learning. I've also seen that there is in some areas a need for new or replacement schools and for renovations to improve existing schools. There's also a need to provide quality child care settings in school facilities. These are among the priorities this \$620 million in funding will address.

In the two fiscal years starting 1996 and ending in fiscal year 1997-98, the funding will support 176 projects throughout Ontario. These projects include 63 new schools as well as a number of additions and renovations to existing schools and 43 child care centres and elementary schools. We are creating space for 39,605 pupils and 1,720 new child care spaces.

This funding, when combined with the local school boards' share of cost of the funding, will generate construction of a total estimated value of more than \$800 million and provide an estimated 9,800 person-years of employment. I am pleased to advise the members that further portions of the \$620 million in funding will be targeted to specific needs.

Starting in 1996, we will make funds available to boards to improve and update existing schools. This funding will help boards meet their obligations to maintain facilities in good repair. It will also help boards ensure that schools meet current building and fire code requirements and are energy-efficient and that facilities such as science and technology labs are up to date and able to meet the needs of students studying these important subjects.

It will also be used to improve the accessibility of schools to persons with disabilities. I am pleased that

with this announcement we are able to reaffirm that making schools accessible is an important priority.

1350

Over the coming months, my ministry will work with treasury board and representatives of school boards to develop appropriate recommendations for the best way to allocate this portion of the funding. Also, from the \$620 million in funding, \$10.5 million a year will be designated for a separate child care centre capital fund. Capital funding for the building of 30 child care centres will be available each year through this fund. All new and replacement elementary schools will still receive funding for child care. In addition, a limited number of centres will be created in other projects, enabling us to expand the availability of quality school-based child care.

I am also pleased to announce that, in addition to the \$620 million in funding, a further \$35 million will be provided in the next two fiscal years to assist boards that are implementing junior kindergarten programs. This funding will help boards renovate and build additions to existing elementary schools according to their plans for the implementation of junior kindergarten. School boards will be advised of the funding for individual capital projects tomorrow and early next week.

The people of Ontario already have a substantial investment in their school buildings. There are currently more than 4,700 publicly funded school buildings in the province, with an estimated replacement value of more than \$20 billion.

Since 1990 this government has committed \$962 million in capital funds for schools, yet there are still many communities throughout Ontario without the kind of facilities people want for their children's education. This significant commitment of taxpayers' money to our schools is therefore an opportunity to send a message that school boards must make greater efforts to find ways to stretch capital dollars. Local partnerships and multi-use facilities can help boards deliver quality education facilities at less cost to the taxpayers.

The funding I have announced today builds upon Ontario's current capital funding program, which supports the construction and renewal of school facilities throughout the province. This program is also an important part of the government's plan for economic renewal through job creation and building infrastructure.

Most important, it reflects the government's ongoing commitment to quality educational facilities as a major investment in Ontario's future.

Mr Charles Beer (York-Mackenzie): I wasn't sure what announcement the minister was going to make today—he's been active—because I understand that this morning he was involved in some announcements around special education. Perhaps next week we can hear about them and have an opportunity to comment. Those statements that were made earlier are important as well.

Let me say at the outset that I want to congratulate the minister on continuing what were two very key Liberal initiatives: ensuring there would be multi-year funding and making that commitment on capital, and also in beginning what has been a tremendously important

program in terms of the creation of child care centres.

We don't always agree in this House on different issues, but in terms of that multi-year commitment around capital and in terms of the construction of child care centres, both of those are terribly important, for a wide variety of reasons. I want to make that point clear at the outset.

As I read over the statement, I would say to the minister that it was very skilfully put together. We get the \$620 million in the first paragraph, and then it's in paragraph 4 that we start to work through the fiscal years. I've tried to use my mathematical skills, and that works out, if I understand, to \$310 million in 1996-97 and \$310 million, give or take, in 1997-98, which maintains roughly the level of funding that we have had. I think it's important that that be maintained.

Clearly, as you state later in your comments, there are still a number of facilities that are required; there are still problems out there. It is important to see the continuing commitment to the multi-use facilities and working with not only other ministries but other local bodies, whether municipalities through recreation, library boards and the like. That was a commitment that we made and that you have continued, and that is important.

In terms of the specific projects, you mention there will be something in the order of 63 new schools and 43 child care centres and that you will begin those announcements tomorrow. Obviously, we will await the specifics with a great deal of interest and attention.

One of the issues that is not addressed here and would not necessarily be addressed, but I think the minister will recognize as an ongoing problem, is the continuing problems faced by some of the fast-growth-area boards in providing facilities. We would look to see some of that expressed in terms of how the dollars are distributed tomorrow and next week.

I would welcome the separate child care centre capital fund. That is good as well, in terms of planning ahead and having a sense of what those dollars are. We all would like to see more dollars, but what is important, as it was important in 1989 when we made the first three-year commitment on the capital funding, was therefore letting boards know what they could expect and what the dollars are. We can always build on that, but it is important to build some kind of certainty into the system.

In terms of the specific needs that you note you're going to be targeting, clearly boards have been saying to you, as they have to us, that the improvement and updating of existing schools is becoming a greater problem. We're going to have to look carefully at that, especially in some of the older urban areas where there really are major problems. We'll look forward to what your initiatives will be on that.

Generally, while we would have liked to see this statement perhaps a couple of months ago, it maintains the direction of the previous Liberal government, and we would support that.

Mr Gerry Phillips (Scarborough-Agincourt): I wanted to comment on the basis on which the financing takes place, which is the other side of this announcement,

and indicate once again to the minister our concern about what you would call loan-based financing. It isn't just our concern; the Provincial Auditor has indicated that he believes it's incorrect, the way the finances of the province are reported and the new way the government is moving to what's called loan-based financing.

We just the other day got confirmation from ministry officials that in five years the province will owe \$8 billion in this new loan-based financing, that is right now moved off the books. It's shown as a loan payable to school boards and to hospitals and to municipalities. The Provincial Auditor has said it's wrong, and people should understand that we are running debt off our books and that the auditor is going to blow the whistle on this thing probably this fall, and certainly no later than a year from now.

Mrs Dianne Cunningham (London North): I would like to begin addressing the issue of the capital funding announcement from the minister today by speaking to the comment from the member for Scarborough-Agincourt.

It wasn't until 1988-89—that was probably the first year school boards were encouraged by the Liberal government not to fund capital out of current funding and to make loans and debentures that would put them into debt for ever and ever. That was the very beginning. The reason I know that is because I was chair of the London Board of Education when I first came here. The first new financing method in Ontario for capital funding was introduced by this Liberal government, which encouraged debt.

If I had any advice for the minister in this regard, I would start showing rewards in some of the transfer payments to school boards where school boards can be shown to use their funds efficiently.

Mrs Elinor Caplan (Orillia): School boards always had the ability to debenture capital.

Mrs Cunningham: School boards always had the ability, but the money was flowed in that fiscal year for capital. They had the ability to borrow money but they did not have to borrow money to get that capital funding, like they did in the budget of 1989. I want to make that very clear for the member for Orillia.

Mrs Caplan: That's not true.

Mrs Cunningham: That was the very first time we put school boards in debt in order to get the money. If it's not true, prove it.

The minister talks about the need for replacement schools or renovations. I would like to underline the fact that I share his concern with regard to renovations, as do the school boards. In this book, called *Canadian Schoolhouse in the Red*, the first national study of school facilities, published by the Ontario Association of School Business Officials and sponsored by Honeywell, all provinces across the country are given some pretty important information with regard to the need for the capital renovations and new fundings for schools.

1400

In Ontario, they make two points. They say, first of all, that fiscal conditions prompted administrators to use deferred maintenance as a way to borrow from the future.

Unfortunately, this practice does little to protect the public's investment in the schools' major assets, their buildings—helped along by the former Liberal government, I might add.

"Energy: A Growing Opportunity." I think it's important to know that Ontario schools budgeted \$16.9 million more for energy for the 1992-93 school year than they did in the 1991-92 school year, bringing the total energy budget to \$252 million. For the minister, an important fact is that 58% of the school boards in Ontario do not have an effective energy program in place, and nearly one fourth have never audited any of their school buildings. You know we have called for audits of school buildings. Of those that have conducted energy audits, 44% have not implemented most of the recommendations.

We're looking for accountability in education, and I have to tell you right now that we already have facts and we know there isn't enough accountability in education.

With regard to the innovative school use, which I believe was started by the former minister—or the former former minister, because this is the third minister—Minister Boyd, \$50 million was set aside in 1992 for the innovative use of school facilities. I have to ask the minister if he could provide us with the information on the status report, because we're not certain how that money has been spent and how the money actually in this budget will be spent.

With regard to multi-year funding in child care centres, I noticed that my colleague from York avoided mentioning junior kindergarten, again probably for a good reason, because these are now capital dollars the school boards will have to use. This \$35 million in capital will have to be used by school boards, many of whom do not want to offer junior kindergarten but who must have it in place, as mandated by this government, in September 1994. Perhaps that's money that could have been saved and spent in other ways if community use of buildings other than schools, as well as schools, could have been put to better and more efficient use.

The money of course, as the minister says, will not even begin to flow until 1996, ending in 1998. My only observation on that, because I think of the bad management of this government and the former government, is that they won't be here when the money is being flowed.

Hon Elaine Ziemba (Minister of Citizenship): I believe we have agreement on all three sides for unanimous consent on Portugal Day.

The Speaker (Hon David Warner): Is there unanimous agreement? Agreed.

PORTUGUESE COMMUNITY

Hon Elaine Ziemba (Minister of Citizenship): Tomorrow, June 10, the Portuguese community will celebrate the national day of Portugal and the life of Luís de Camões, Portugal's greatest poet. I'm pleased today to rise on behalf of the government to pay tribute to the men and women of Portuguese origin who have contributed so much to the growth and development of Canada and Ontario.

In 1953 the first wave of immigrants from Portugal, the Madeiras and the Azores arrived in Halifax. This

migration was made possible under an agreement signed by Canada and Portugal. It was the first attempt to settle large numbers of Portuguese people in Canada. It was termed a "trial movement" because these pioneers had to prove themselves to be honest and hardworking people who had the capacity to succeed. Succeed they did. They showed that Canada could benefit by inviting more people of Portuguese origin to come and help contribute to our country's success and future.

It should also be noted that because the people who were allowed to come to Canada in the first trial movement were expected to work hard when they arrived, they had to have "hardened hands." I am pleased to say, and I think we all would be pleased to say, that immigration criteria like this no longer exist in this country.

However, I want to acknowledge that Portuguese people have worked very hard to help make Canada one of the best places to live in the world. They represent a glowing example of how important immigration is to Canada.

There are currently more than 246,000 people of Portuguese origin living in Canada; 72% of these people live in Ontario and represent the sixth-largest ethnic origin group in this province. Many are in the construction and the manufacturing businesses and many are making their mark as professionals in the fields of law, medicine and business.

There are more than 40,000 people under the age of 24. They are the future of the Portuguese community and hence the future of our community in Ontario. In this, the Year of the Family, we all have to work together to give our youth the strength and the encouragement they need to follow their dreams the way the pioneers did 41 years ago and make successful lives for themselves.

This afternoon we have the honour of having several prominent members of the Portuguese community in the Speaker's gallery. I'd like to introduce them at this time and welcome them to our gallery. I'd like to introduce to you Mr Pessanha Viegas, consul general of Portugal; Mr Ferreira, vice-consul of Portugal; Mr Manuel Carvalho, president of the Alliance of Portuguese Clubs and Associations of Ontario; Mr Almiro Fonseca, president of the Federation of Portuguese Canadian Business and Professionals; and Dr Tomas Ferreira, national president of the Canadian-Portuguese National Congress.

On behalf of the government and the people of Ontario, I wish to thank the Portuguese community as a whole for its hard work and its dedication to making Ontario a better place to live, an Ontario in which we wish to have equal rights and equality for all of our citizens and one in which we want to have freedom and justice for all.

In particular, I want to thank the Portuguese-Canadian National Congress, the Alliance of Portuguese Clubs and Associations of Ontario and the Federation of Portuguese Canadian Business and Professionals, three organizations which have provided much support and national voice for the Portuguese community in Ontario.

Mr Tony Ruprecht (Parkdale): These colours are flying over our city today and in fact this week in honour

of a great community, the Portuguese Canadians. As already indicated, in the gallery are the consul general, Mr Viegas, and leaders of the community.

On behalf of our leader and the Liberal caucus, I'm delighted to join in and to rise for the purpose of recognizing an important event that dates back 414 years and has been celebrated as Portugal National Day since 1880.

The celebration of the national day of Portugal is special and unique in the pages of history. Unlike some dates that commemorate an important political event, such as a declaration of independence, on this historic occasion we ask the people of Ontario to join our Canadians of Portuguese heritage in the remembrance of a great, world-renowned poet and writer, Luís de Camões. Although he passed away more than 400 years ago, Camões left a living legacy of meaningful poetry of immortal beauty that has not withered with age.

We're all cognizant and appreciative of the tremendous contribution our Portuguese friends have made to the development and growth of our province and country, both in economic and cultural fields, I might add. Yet, as important as economic contributions are, the attention of Portuguese Canadian children today is focused not on the prosperity and wealth that opportunities in Canada create, but on our democratic system of government, which allows the people in our multicultural society of Ontario to celebrate a national literary hero of their forefathers' original homeland as a right.

Indeed, Luís de Camões is an intellectual giant whose footsteps have crossed centuries of time and the Atlantic Ocean to implement and plant into Canada a great heritage of love for literature, poetry and education.

1410

May this Portugal National Day inspire us to pause more often to study and admire our writers and poets. Perhaps we might recognize that a new Luís de Camões could be inspired as a result of paying tribute to the eternal de Camões whose remembrance we are honouring today.

In conclusion, I'd like to make a few remarks in Portuguese.

Remarks in Portuguese.

Mr David Turnbull (York Mills): Today I'm pleased to rise on behalf of the Progressive Conservative Party to pay tribute to the men and women of Portuguese origin who have contributed so much to the growth and development of Ontario and Canada. We welcome the consul general and the distinguished guests representing the Portuguese community in Toronto.

Tomorrow, June 10, is Portugal National Day. It is the day of Camões, on which day the life of Portugal's greatest poet, Luís de Camões, is celebrated.

The Portuguese community is a vital part of the Canadian cultural mosaic. In 1994, we mark the 41st anniversary of the first wave of Portuguese immigrants to Canada, who landed in Halifax from the mainland, the Madeiras and the Azores in 1953. These immigrants were part of the first attempt to settle large numbers of Portuguese people in Canada through the trial movements agreed to by Canada and Portugal.

The instruction manuals which were given stated, in part, "Don't forget that the future of many Portuguese who stay behind waiting for the opportunity given to you now is dependent on your honesty, your hard work and your capacity to succeed." Well, indeed, we know they did succeed.

The Portuguese community in Ontario is today a thriving, vibrant community of 350,000, with the largest concentration living in Toronto. Many of the succeeding generations since the pioneering labourers are now making their mark in the professions, business and labour, whether as doctors, lawyers, dentists, teachers or business leaders.

One of the early pastors of the Portuguese Catholic church on Bathurst Street here in Toronto will honour all of Toronto by becoming Toronto's first saint. Many Portuguese festivals, including the well-attended Festa of Senor Santo Christo, provide all Ontario with an opportunity to experience the depth of Portuguese culture.

The Portuguese culture is a rich panorama of colourful interplay between human emotion and culture. Hundreds of years of historic development in Europe have been intertwined with the experiences of the Portuguese in their adopted homeland of Canada. As a society, we have been impacted in a positive way by the richness of the Portuguese community. We honour and value your contribution.

ORAL QUESTIONS MEDICAL LABORATORIES

Mrs Lyn McLeod (Leader of the Opposition): My first question is for the Minister of Health. Minister, the reports in the media this morning of problems in Ontario's health laboratories were very disturbing. It was made quite clear that there are some significant issues that have to be addressed and that there are problems that have been identified by the Laboratory Proficiency Testing Program, which is an internationally recognized program. It's a program that's been in place for 20 years. It's a program that is well recognized by doctors and, at least until recently, by your ministry.

Minister, I ask how well you feel this particular laboratory testing program is working and whether you feel, as Minister of Health, that you can give the public assurance that the laboratories of this province are operating at the highest quality standard.

Hon Ruth Grier (Minister of Health): I'm glad to address this issue. There was certainly a story in the media today with respect to the 1993 review of activities by the Laboratory Proficiency Testing Program. The story referred to the fact that the laboratory in Kingston Psychiatric Hospital had in 1989 been indicated to be not meeting the levels of proficiency with respect to some standard tests. The laboratory has ceased to perform those tests. Under the tenure of the previous government, that action was taken. I'm certainly confident that with respect to that laboratory and to laboratories around the province, where 150 million to 200 million laboratory tests are performed each year, the people of Ontario receive testing of very high quality.

Mrs McLeod: The minister does recognize one of the

particular concerns that was addressed in the 1993 report, and I would agree with her that overall the report says the majority of laboratories are providing a very fine and high-quality service. That doesn't take away from the importance of addressing any of the issues that are identified as concerns.

I would like her to further consider the example she cited, because the report very clearly indicates that there is one particular laboratory that was recommended to cease operations in 1989, and the report says that subsequent to that, "the Ministry of Health representative indicated that the lab had in fact ceased operations in those non-proficient areas," but the report goes on to say that as late as October 1993, that same lab was advertising its services in one of those areas of operation where it had supposedly stopped operating and that it was providing service to a teaching hospital.

Minister, given the contradiction and the concern that is expressed in this report, can you tell us what has happened? Did that lab close down and reopen again? What are the facts, and how can you provide the public with assurance that this lab and others where there have been concerns identified have in fact been brought up to quality standards and otherwise would not be operating?

Hon Mrs Grier: As I'm sure the honourable member is aware, the—I never can remember the acronym—Laboratory Proficiency Testing Program is carried out by the Ontario Medical Association on behalf of the ministry. It investigates when it finds that there may be problems in a laboratory, works with the laboratory to resolve those problems and, in a case where it decides that the problem cannot be resolved, issues a finding that the laboratory is not performing to acceptable standards.

In the example that has been cited, I am satisfied that the appropriate corrective action was taken in 1989. The laboratory is no longer performing the tests that were identified as being below standard. The laboratory does continue to operate and is performing some very specialized tests—it is a psychiatric hospital and there are very specialized tests that are required there—and is performing those to an appropriate level of competency.

Mrs McLeod: This report indicates a very real concern that the government is ignoring many of these problems and is not acting on the recommendations of its own review program. The report indicates that over the past two years the staff of the program have found it difficult to get meetings with ministry officials; that if there is a problem of an urgent nature, they are not able to get a meeting quickly; that in fact the joint committee between those involved in this program review and the Ministry of Health, a committee that is supposed to act on the recommendations that are brought forward through the program review, has been left without a chair for nine months and has not had a representative from the Ministry of Health for nine months.

I suggest that what's at issue here is very much a concern of public health and public safety. People have a right to know that this ministry is doing everything possible to ensure that the labs that are being used are safe, that they're being run efficiently, and given this report, people simply do not have that assurance.

Minister, what steps are you prepared to take to ensure that any concerns which are brought to the attention of your ministry are in fact acted on quickly and effectively?

Hon Mrs Grier: I can assure the member that that is indeed the case. I'm confident that we have one of the best lab testing systems in North America. The fact that we have a committee that is run by the profession, not by the ministry, to oversee the proficiency of the laboratories is I think a testament to the improvements that have been made since that committee was set up.

This is a report dated in 1994 looking back to 1993. There have been some changes within my ministry since then, and I can assure her, and in fact all members of this House, that if there are problems, our ministry is solving them, our government is solving them, and that's a change from how things operated five years ago.

The Speaker (Hon David Warner): New question.

Mrs McLeod: It's a matter of record. It's within the last nine months that a supposedly joint committee has been operating without a representative of the Ministry of Health or without a chair. That's the last nine months.

The Speaker: Would the leader place a second question, please.

1420

YOUTH EMPLOYMENT

Mrs Lyn McLeod (Leader of the Opposition): My second question is for the Minister of Labour. Last December your government rammed through the Crown Employees Collective Bargaining Act. This was an omnibus piece of legislation, which seems to be your government's preferred type of legislation because it seems to be one of the ways in which you can slip all kinds of changes in with very little scrutiny. One of the changes that slipped in last December with the Crown Employees Collective Bargaining Act was yet another hit at Ontario's young people.

Can you confirm that this legislation revoked the exemption from paying union dues that was previously extended to students who work for the government of Ontario?

Hon Bob Mackenzie (Minister of Labour): I'm not sure. I'm going to have to get back to the member on that.

Mrs McLeod: I am somewhat surprised that in a piece of legislation which this government rushed through the Legislature, the minister responsible for the legislation should not know—

Mr Kimble Sutherland (Oxford): You don't even know what your policy is.

The Speaker (Hon David Warner): Order, the member for Oxford.

Mrs McLeod: —what its impact would be on the young people of this province.

Hon David S. Cooke (Minister of Education and Training): Why has it taken you a year to figure it out, then?

Mrs McLeod: The reason this comes to our attention now is because of the kind of situation that young people in this province are facing this summer.

As the Minister of Education says, why has this come to our attention now? I would remind him of the kinds of problems that he has been part of creating for young people in this province, with a 42% increase in tuition fees, with a cutback of all the student grant programs.

I would remind him that this is my question to the Minister of Labour, because my concern is with what is facing young people this summer. What is facing young people this summer is a disastrous job situation, because this government, which says it is putting as much money into job creation, is actually offering fewer hours of work to students in the name of claiming that it is offering more jobs. Now they have passed a piece of legislation which in effect cuts the salaries of those students who will get jobs with the government this summer.

Minister, I ask you, how can you justify taking money out of students' pockets to give it to unions, and how can you not know you even did that?

Hon Mr Mackenzie: If they're in the union, they'll get the benefits that they're entitled to. But as I said, I'll get back to the member with an answer to her questions.

Mrs McLeod: As the minister goes to find out the accuracy of what we have reported—and we are told that it is accurate and that students in at least some of the government's workplaces are having their union dues deducted, because that was now made possible, if not legally required, under the legislation that this minister passed—he should think a little bit about what young people are facing: the fact that unemployment for young people is at about 30%, that the students who are graduating from high school—last day of class is tomorrow—are going to find there are no jobs for them, that young people today are spending months looking for a job, and that this legislation has indeed taken money out of the pockets of these young people.

I will ask you to do one small thing after you confirm the accuracy of what your legislation has done. Will you amend your legislation once again so that students working for the government for the summer are exempt from having to pay union dues?

Hon Mr Mackenzie: Surely you know that you get the benefits of a union contract whether you're in the union or not, and that should be enough to satisfy the member across the way.

MINISTRY OF AGRICULTURE, FOOD AND RURAL AFFAIRS

Mr Noble Villeneuve (S-D-G & East Grenville): To the Minister of Agriculture, Food and Rural Affairs: I'm sure, and I hope the minister has advised his cabinet colleagues, that had they taken the kind of cuts that his ministry has taken, we would have a balanced budget in Ontario today.

Can the minister explain why the Ministry of Agriculture, Food and Rural Affairs has suffered the biggest cut in budgetary requirements, and indeed even after taking on the additional responsibility of rural affairs?

Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs): Our ministry, like other ministries, has been through a period of restraint and we have made reductions in our operating budget. Last

year—not this year but last year—we made some very tough decisions and we had to close two agricultural colleges, which was a tough thing to do.

This year some of the former programs introduced by the Liberals which were short-term programs came to an end, because most of the programs they had introduced during their tenure were short-term programs. There was about \$19 million in expenditures that ran out this year.

We have been in the process of introducing programs that are long-term programs that the farmers will have on into the future, that give them opportunities for credit at reasonable rates. We have implemented long-term programs that do not have high costs to the taxpayers and high costs to the government but do meet the needs of farmers.

Mr Villeneuve: It is obvious that the Ministry of Agriculture, Food and Rural Affairs is the most important department, ministry, whatever, within the province of Ontario. On that I don't think there is any argument: The food producing and processing sector is most important.

In the Common Sense Revolution there are no cuts to agriculture—no cuts. That's because the Progressive Conservative Party of Ontario recognizes that Agriculture, Food and Rural Affairs is the most important of all ministries in Ontario.

Mr Kimble Sutherland (Oxford): They sold you out.

The Speaker (Hon David Warner): The member for Oxford.

Mr Villeneuve: Any additional cuts would effectively gut the ministry altogether because at present, with the cuts that have occurred, it can barely accommodate the bureaucracy, leave alone assist agriculture.

We want to know why this government has failed to recognize the importance of agriculture and indeed has tacked on the additional responsibility of Rural Affairs. How can this be, Mr Minister?

Hon Mr Buchanan: Perhaps, unlike the new Reform Party across the way, we have recognized the fact that throwing money at every problem that arises is not the answer, that you have to get long-term solutions, that you have to work with groups that are in rural Ontario and other parts of the province to come together. We have both processors and farmers now working together. We have labour groups working with processors, who are also working with farmers. We have consumers who are sitting down with supply management people to work out reasonable, commonsense solutions, not the slash-and-burn approach of the new revolution on the other side.

I looked at this document. I heard this person say on TV that he was going to cut everything by 20%, except for health care, and I think everything includes Agriculture and Food. I think this particular gentleman is public enemy number one in rural Ontario and not the saviour of rural Ontario.

Mr Villeneuve: The minister and the government certainly have it wrong. It can hardly be a surprise to the minister that Ontario's food producers and processors are very worried that this government is undermining their ability to grow and progress while promoting the most important area of Ontario business: Agriculture, Food and

Rural Affairs. Bill 40, Bill 91, Bill 162—and I could go on—and numerous others are all intended to make us less competitive and will make it more difficult for agriculture to grow and diversify here in Ontario.

Given that you're prepared to ram through Bill 91 under the pretence that everybody wants it—and indeed we know that no one within agriculture wants Bill 91—will you prepare something positive for agriculture; ie, assistance to beginning farmers, the food and livestock diversification act? Bill 91's a total negative. Give something positive to the most important sector in Ontario.

Hon Mr Buchanan: I didn't know that the revolution over there was going to cause the spending of more money. I thought it was a 20% cut. I have a background in mathematics, and I can't quite figure out how you can cut your revenues by 30%, cut your expenditures by 20% and eliminate the deficit at the same time. That doesn't add up. The numbers don't work.

It says in this revolutionary document, item 2, "Total spending will be reduced by 20% in three years, without touching a penny of health care." It doesn't say anything about saving anything else other than health care.

I don't know where the member thinks agriculture is going to be saved. Maybe the member could win an arm-wrestling contest with his leader yesterday, or now that he's out of the hospital, but I don't think we should put any faith in the member's optimism that a Conservative Reform Party would save agriculture or put more money into agriculture.

Quite the contrary: This gentleman wants to cut the number of seats in this province by about 30 seats. That would reduce the number of representatives from rural Ontario and rural Ontario would be underrepresented in this House. This is not good for rural Ontario.

1430

METROPOLITAN TORONTO HOUSING AUTHORITY

Mr Chris Stockwell (Etobicoke West): I would like to ask a question of the Minister of Municipal Affairs. Mr Minister, are you aware of the fact that the Metropolitan Toronto Housing Authority is, en masse, appealing their municipal taxes to a provincial body and in fact winning a significant number of those cases, causing great loss for local municipalities?

Hon Ed Philip (Minister of Municipal Affairs): I am aware that municipalities have the right, as does any other individual, to appeal taxes, and some of them are doing that. That's their business.

Mr Stockwell: Well, that was enlightening. Okay, so you are aware that people are allowed to appeal their taxes. That's good. You're the Minister of Municipal Affairs.

The next question that was applicable was, are you aware that the Metropolitan Toronto Housing Authority, en masse, are appealing their taxes, a provincially associated body appealing to another provincial quasi-judicial body to get municipal tax relief on taxes they pay to municipalities? They're winning these cases based on the fact that your government refuses to deal with a municipal tax problem they have with respect to assessment.

Do you think it's fair and reasonable that you, as an arm of this government, appeal taxes that cost municipalities much-needed revenue; appeal to a provincial board and leave municipalities out in the cold for hard-earned tax dollars that are fair and reasonable and should be applicable?

Mr Minister, I don't want another answer that you know people can appeal their taxes. You, and probably a lot of other people, know that. Do you think it's reasonable MTHA would appeal theirs en masse, causing municipalities to go without and have to make that tax dollar up from people who cannot very well afford to pay increased taxes because you won't foot your fair share?

Hon Mr Philip: I think any public body or any crown corporation or any citizens' organization should have the same right as a private developer to appeal taxes or to take any other matter before a tribunal of this province. That's the justice system in this province, that's the quasi-judicial system in this province, and if he's saying that we should have two sets of rules, one for private enterprise and the other for non-profit organizations, let him stand up in the House then and tell us what he means by that quiet revolution, because it doesn't make any more sense than this document does.

Mr Stockwell: This is a fruitful debate, I can tell. All I wanted to know, Mr Minister, was, why is it, the difference—

Hon David S. Cooke (Minister of Education and Training): Tories support MVA, that's what it says. It's on the record now. Tories support MVA.

Mr Stockwell: If you want the difference, I'll give you the difference. Private developers don't control whether or not the assessment process in Metropolitan Toronto is fair. Private developers don't control whether or not legislation is implemented to make an equitable assessment process that would have forced people to pay fair amounts.

Regardless of your position, Mr Minister, and regardless of the cackling from the Minister of Education, the bottom line is that it's not working. People are appealing their assessments, municipalities are being costed millions of dollars, and the home owners have to come up with the difference. I say to you, Mr Minister, you're winning these appeals because of your inaction on any fair review of municipal taxes in Metropolitan Toronto. If you can't understand that, then it's almost a moot point.

I put it to you, you are the minister of the crown, you control market value assessment review, you control a fair review of market value assessment, and you control the Metropolitan Toronto Housing Authority's ability to appeal its taxes.

The Speaker (Hon David Warner): Could the member place a question.

Mr Stockwell: You're winning on all counts and the only losers are the municipality and those people who have to make up those taxes you won't pay. Do you consider that to be fair and reasonable, and what do I tell the constituents of Metropolitan Toronto when it comes time for your government to pay its fair share and you abscond from that responsibility?

Hon Mr Philip: Maybe the honourable member would tell us his position on market value assessment. We haven't heard any of his tax reforms. It isn't spelled out in this revolutionary document, a document that would have wall-to-wall condominiums on two-acre estates throughout Niagara and put all the fruit growers out of business. That's his policy. That's his revolutionary document. That's what he would cause by this kind of thing.

Interjections.

The Speaker: Order.

Hon Mr Philip: If he is suggesting that I as the minister should interfere—I think that's what he is suggesting—in the right of an organization, be it public or private, to appeal its taxes, or if he thinks that I as the minister interfere in the workings of an independent tribunal, let him say that, because that's what he's implying. I say to him that he'd be the first to be on his feet charging me with tinkering if I ever did such a thing.

CORPORATION FILING PROGRAM

Mrs Lyn McLeod (Leader of the Opposition): My question is for the Minister of Consumer and Commercial Relations. In the Ontario Gazette of February 5, 1994, your ministry listed over 100 pages of corporations that were late in paying the new \$50 annual NDP corporate filing fee. The Gazette states that unless the fees are paid within 90 days, the corporations would be unilaterally dissolved by your ministry.

Clearly, the 90 days has passed. Minister, will you confirm that you have set a deadline of tomorrow night at midnight to carry out this threat, and can you tell us how many corporations, both public and private, may be dissolved tomorrow at midnight for not paying your annual \$50 filing tax?

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): Extraordinary measures have been taken over the last several months to alert all the corporations and non-profit organizations out there that, by law, they have to send in their annual filing information. Those extraordinary measures went way beyond what we were required to do. We recently sent a special courtesy letter and set up a special hotline so that people could call. There is tremendous response to that.

The goal is that nobody should lose their status over this. What we have found is that about 80% of the returns that have come back have had new information, which proves the point that we really needed to act and get these files up to date for public consumption. By now we've certainly gone, as I said, to extraordinary lengths to let people know that they do have to get this information in. My hope is that no legitimate business will lose its corporate status.

Mrs McLeod: The question was, is tomorrow night at midnight the deadline and how many corporations are going to be dissolved? After the extraordinary measures the minister has just described, which she's taken to implement this new tax, I would expect that as the deadline approaches for dissolving corporations, with all of the implications, including the implications for the volunteer trustees who serve on the boards of charitable corpor-

ations, the minister could answer the question as to how many corporations would be dissolved tomorrow night.

I remind the minister of some of the corporations we were looking at on that list that was in the Gazette in February that are potentially vulnerable tomorrow, including the University of Toronto Press, the Windsor Fire Fighters' Benefit Fund, R&R Fibreglass Services, the Rogers Automotive Supply Co. We don't know if they're still on your list, Minister, but the list covers a range of small businesses to non-profit corporations to charities.

Will you tell us how you can justify even threatening to pull the plug on hundreds of businesses and charities because they're late paying a minor tax? How does your tax do anything to help create jobs? In fact, how many jobs are you threatening with your midnight deadline tomorrow?

Hon Ms Churley: First of all, losing corporate status does not mean that a company has to go out of business. It certainly does have an impact on their legal and tax advantages that come by being incorporated. We are not in any way, shape or form trying to put anybody out of business or for jobs to be lost, and as I said, we are taking and will continue to take extraordinary measures to make sure that doesn't happen.

I go back to the premise that we have a problem here in that a lot of corporations and non-profits have not been filing correct information. We are in the process of computerizing and updating all the corporate files. We need proper information for those searches that people, the public out there, do which come to thousands a year, so that they are up to date.

That's what we're doing and we expect corporations and we expect non-profits to respond to that. We have gone out of our way and will continue to do so to make sure that those who are still in business will file the information with us. The reality is, as I said, that about 80% of those have got wrong information in the files already. That should be corrected soon, and it will make the database much more accurate for the public.

1440

MUNICIPAL PLANNING

Mr Allan K. McLean (Simcoe East): My question is for the Minister of Municipal Affairs. Minister, the Sewell commission wandered around this province for over two years reviewing the planning and development process. You then imposed an unrealistic deadline and demanded municipalities respond to your government's policy statement and consultation paper within 90 days. It is my understanding that you now want to send Bill 163, which you introduced on May 18, to public hearings this summer.

Your agenda clearly shows that you have little regard for the views of the municipalities, the local people. Why don't you step back from your political agenda and give the Association of Municipalities of Ontario, the Rural Ontario Municipal Association, these organizations, appropriate time to review and respond to the numerous components of Bill 163?

Hon Ed Philip (Minister of Municipal Affairs): The one thing all the interested parties agreed to unanimous-

ly—there were a number of things, but one of the things they agreed to was that the Sewell commission did the most extensive consultation of any body that was ever established by any government, be it his government or the previous Liberal government or our government.

Mr Bill Murdoch (Grey-Owen Sound): They didn't listen to anybody.

Hon Mr Philip: AMO was quite happy. They were happy with the changes that were made in the second version of the planning commission report. They said so publicly.

Mr Murray J. Elston (Bruce): AMO's happy?

Interjection.

The Speaker (Hon David Warner): Order.

Hon Mr Philip: Well, they did say so. I know the policy of the Conservatives, who are constantly interrupting on this, is that they don't want any planning whatsoever. They'd rather have the developers build wherever they want and ruin the environment. That's the policy of the Conservative Party.

But AMO has agreed to serve and put four members on the implementation committee, as have our other partners, the development industry and the environment coalitions, and they're quite happy with the progress. Indeed, the question I'm getting from municipalities is, "Are you sure you're moving ahead expeditiously on this, because this will speed up the way in which we can get development going in our communities?"—

The Speaker: Would the minister conclude his response, please.

Hon Mr Philip: —"and the way in which we can get on with our planning process."

Mr McLean: I'm not so sure he's listening to the same people we're listening to. I think Sewell travelled the province with earplugs in, because the people are telling me that they aren't listening.

Minister, the Planning Act amendments give you the authority to pass regulations in some 14 areas, from prescribing the contents of official plans to prescribing the information and notice requirements for plans of subdivision approvals and consents. Will you make these regulations available prior to any standing committee meetings so municipalities and other interested parties will be able to adequately assess the full package?

Hon Mr Philip: We're working with AMO and with the other interested parties on the implementation and on the development of the regulations. That is the process they asked for. I don't know who he's listening to, but he obviously has no faith or is implying that AMO does not speak for the municipalities and that ROMA does not speak for the municipalities. These are democratically elected bodies. I'm listening to these democratically elected bodies, which are elected by the municipalities. They speak on behalf of their membership. I'm sorry that he isn't speaking on behalf—

Mr Chris Stockwell (Etobicoke West): AMO is not in favour of the bill.

The Speaker: The member for Etobicoke West, come to order.

COMMODITY LOAN PROGRAM

Mrs Irene Mathysen (Middlesex): My question is to the Minister of Agriculture, Food and Rural Affairs. Minister, like many farm families in Ontario, Middlesex farm families are trying to get crops in the ground at this time of year and certainly are facing the economic problems that entails. I wonder, could you please update me and members of this House in regard to the status of the Agricultural Commodity Corp in providing lower-cost financing alternatives for these farm families?

Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs): The member actually raises a very good question. She's talking about the Agricultural Commodity Corp, which is one of the initiatives that was taken by this government back in 1992. It was a program that was put together by farmers and for farmers with the true consultation I spoke of a few minutes ago. It formerly was known as a crop insurance-based loan.

Not everyone would know, but farmers had a difficult time in the past acquiring credit for operations in the spring. We've put together a program where if they have insurance on their crops, they can use that as collateral in order to get a loan at lower rates. By pooling their needs, which was done through the Ag Commodity Corp, farmers have been able to access that. In fact, in the first two years, over \$46 million has gone out to farmers in operating credit at lower rates. Truly, it's a success story.

Mrs Mathysen: That of course is good news. I wonder, though, are all of the farmers in my riding eligible for these loans?

Hon Mr Buchanan: All farmers who have cash crops who can take out insurance on those crops, and there's a long list of those cash crop farmers, as long as they're eligible for crop insurance. We have been expanding the program over the last couple of years to include grapes and some other programs that normally were not in, which I don't think would be grown necessarily in the member's riding. But we have expanded the program, and as long as they can buy crop insurance they will be eligible for this program, and it's an expanding program.

I might simply add in closing that \$36 million is expected to go out this year to about 500 farmers. So it is a program that's working for farmers and we're very proud of that program.

INSURANCE TAX

Mr Steven Offer (Mississauga North): I have a question to the Minister of Municipal Affairs. My question deals with your government's new tax policy on the taxation of deductibles in insurance policies. The impact this has on individuals who suffer damage, whether to their car or to their home, is now well known, but the impact goes much further. This new policy will attack insurance policies on businesses, school boards and municipalities. I have been informed that the city of Kitchener has an average yearly payout in deductibles of about \$250,000. Your new tax policy at 8% will cost them an extra \$20,000. The city of Toronto has a projected \$1.5-million deductible payout for 1994 which at 8% will cost the city of Toronto an extra \$110,000.

What representations have you made to the Minister of

Finance on the impact your government's new tax policy will have on the municipalities in this province?

Hon Ed Philip (Minister of Municipal Affairs): The Minister of Finance indicated yesterday that he was uneasy about what was happening in this regard, that he was reviewing it. I have every faith that he will be reviewing it and I will be meeting with him. Indeed, I believe the municipalities and I have a meeting set up with him next week in which no doubt this topic will be discussed, among some other topics.

Mr Offer: It is clear by the minister's answer that he has not made any representation to the Minister of Finance. The insurance companies don't want this change. They don't need it, they don't like it and they don't like the way it's going to affect their customers, the consumers, whether they be individuals, businesses, school boards or, Minister of Municipal Affairs, municipalities.

1450

As the Minister of Municipal Affairs and the person primarily responsible to the municipalities in this province, why did you allow this change in tax policy and what in fact are you doing about it?

Hon Mr Philip: I'm pleased that the member is so concerned about the lot of the insurance companies. Indeed, I think that he has the right to feel sorry for many of the insurance companies. As a matter of fact, I was talking to my own insurance company today and they lowered my rates by 10% without even knowing that we were dealing with this issue.

Mr Murray J. Elston (Bruce): You don't drive any more. You have a driver.

Hon Mr Philip: I tell you, Mr Speaker, I drive, and I drive into rural Ontario a lot more than the honourable member does and I've met with a lot more municipalities than he ever did. Indeed, I've met with more health care workers than he did when he was Minister of Health.

Interjection.

Hon Mr Philip: Oh dear. The member for Etobicoke—what is it?—West, that direction of Etobicoke, is interjecting again.

The Speaker (Hon David Warner): Could the minister respond to the question, please.

Hon Mr Philip: I don't know what's got him excited. I'm sure his playground therapy group didn't go well this morning. But I'll answer the question, Mr Speaker, to the honourable member.

We are meeting with AMO. We will be discussing this. The Treasurer has expressed concern. As AMO will tell you, and you may like to speak to Mabel Dougherty, this minister, along with my predecessor, Mr Cooke, has done more to represent the views of the municipalities before the cabinet than any previous minister under the Liberal government ever did.

TRUCKING INDUSTRY

Mr David Turnbull (York Mills): My question is to the Minister of Transportation. Minister, you will be aware that the Ontario Trucking Association has proposed that section 116 of the Highway Traffic Act be amended

so that shared shipper responsibility be introduced for axle weight violations.

The problem, as I believe you know, is that shippers are able to browbeat drivers into taking loads which exceed the limits and result in fines being placed against the shippers. They can do this by browbeating the driver and saying, "We won't use you unless you take this weight."

My question to you is, will you commit today to bring in legislative amendments before the end of this session to allow for shared responsibility?

Hon Gilles Pouliot (Minister of Transportation): I'm happily surprised that this question is fully commonsensical; obviously not a derivative from the manifesto. It wasn't taken as part of the book.

The onus in the past was on the driver. If she or he exceeded, surpassed a capacity, they would be asked to carry the guilt. They paid the fine, and the shipper had no responsibility. In some cases they literally washed their hands.

What our government has done is establish a reverse onus, if you wish, that if you're the owner, you're the operator, you run the shop, you are just as responsible as the driver who does the work.

We're competing for legislation. It's part of our omnibus intentions to have those housekeeping matters, but important nevertheless, be part of legislation in the not-too-distant future.

Mr Turnbull: Quite clearly, this is non-controversial legislation. The fact is, it could be very easily passed here. This is something which will benefit the Ontario trucking industry. Why on earth can't you get this legislation through before the end of this session? It can be passed very quickly. You won't have any opposition, I believe, from this side whatsoever. Surely they can allow you some time, when you see all of the silly things that you're bringing forward are non-urgent things. These are economic matters which would help the province.

I'm asking you why you're dragging your feet. You more or less said yes, you're going to bring in legislation maybe, if some time your House leader will give you time. Let me ask you, when did the House leader commit that they would give you time?

Hon Mr Pouliot: The member is most conciliatory. The way to get things done around here is by way of unanimity.

Mr Chris Stockwell (Etobicoke West): Give it to Ed.

Hon Mr Pouliot: Oh, keep quiet.

It's by way of unanimity. We've got one on the hook. He says he'll come along with the government draft, with the government's intention. If we can get the Liberals, if they're able to make up their mind on any issue, then it's three of us and we can get the bill passed. We drafted the bill. We want the bill to go forward. We welcome this new partnership from the member opposite. Question mark and answer: Where are the Liberals? Thank you. I'll look forward to your support and try to entice the Liberals to be just as commonsensical as you are on this issue.

DAY CARE

Ms Margaret H. Harrington (Niagara Falls): My question is for the Minister of Community and Social Services. We have heard lately of the very respected day care system in France. I remember 15 years ago as a working mother of two the difficulties and the anxieties of getting good day care. It is so important in this day and age that we have a responsible, quality, consistent system in place all across Ontario. I hope women of today do not have to face the inadequate situation that I faced.

Briefly, Minister, what steps have we taken to ensure that child care is seen, as in France, as a most important public service?

Hon Tony Silipo (Minister of Community and Social Services): I appreciate the question from the member. As the member and other members know, we have been working at a number of changes and improvements that we want to make to the child care system of the province.

While I will not say that we can see getting to the kind of system that exists in France, it is certainly something that we have looked at, quite frankly, as an ideal and something that we would see as some day moving towards. But in order for that kind of major change and shift to happen we also acknowledge that it's not the kind of thing we can do on our own as a province. That in fact is a national program, and obviously we would be quite interested in seeing the federal government involved in that kind of an initiative.

In the meantime, we have continued to try to make plans for bettering the system that we have in the province. We certainly have continued to spend a lot of additional money in the child care system, to the tune of having increased our spending since we became the government by something like 50%, from about \$350 million to \$560 million this year, a number of particular changes within that which, if time allowed, I'd be happy to outline.

Obviously, within all of that we continue to look at some of the funding reforms that can be made, and while we have not been able so far to move on those, again in light of the situation that we have, our own fiscal situation and the lack of funding from the federal level, that is something we are continuing to look at.

Ms Harrington: I note that one way of raising respect for the child care system is a professional recognition of early childhood educators, as this House endorsed today. Minister, I know there must be a certain amount of local control and planning to answer local needs. For instance, in Niagara Falls, my own city, there is a higher percentage of commercial operators and some are now converting to non-profit status.

Mr Minister, how will this new management framework that is being set up allow communities across this province to set up quality child care systems in every city, town and rural area in Ontario?

Hon Mr Silipo: While we continue to talk to the federal government about the issue of funding—quite frankly, if there is some progress there, it would lead us to be able to do much more in terms of the funding

reform that we are interested in pursuing—we are also continuing our efforts to improve what exists now, particularly through the management framework approach that the member has pointed out.

This is, in effect, a process of planning at the local level through our area offices that allows the various services to be pulled together and the gaps to be identified in a way, whether it's through filling those gaps through the conversion of commercial operations or through the planning for new centres, so that it happens in a way that addresses the gaps where they exist community by community, but does it also in a way that comes out of a local plan with the community being involved in assessing the needs and assessing what more needs to be done locally.

1500

PENSION LEGISLATION

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Chair of Management Board. It has to do with the issue of pensions. We'll be dealing, I guess, next week with the bill that will establish the new pension plan.

As you know, Minister, there are 40,000 retirees who you will be establishing a brand-new plan for, with some very, very substantive changes in their plan. Normally, changes such as this would require the approval of the superintendent of pensions under the Pension Benefits Act. That would be the recourse that these 40,000 retirees would have to ensure that the plan met their needs and was fair to them.

I understand the bill that you're presenting, though, will legally exclude the superintendent of pensions from commenting on that and will exclude the government from the Pension Benefits Act. So the government is planning to bypass the very act that we set up to ensure that retirees and pensioners would have access to independent advice, to essentially exclude itself from the Pension Benefits Act. It's almost unprecedented, except you did the same thing with the teachers: the only two times.

My question is this: Why are you excluding the superintendent of pensions from commenting? Why are you excluding yourself from the Pension Benefits Act? Can you confirm that this is being done because it would be illegal if you did not exclude yourself from the Pension Benefits Act for the superintendent of pensions to approve your plan?

Hon Brian A. Charlton (Chair of the Management Board of Cabinet): I should make two comments in response to the member opposite. It's a legitimate question he raises, except he does have a reasonably short memory in that respect. He's correct that we did that with the teachers' plan, with the approval of the teachers.

The former Liberal government made changes to the Ontario public service pension plan in 1989, he will recall, and in the process of those changes had to exempt itself from the Pension Benefits Act of the province of Ontario. It's the same process we're following this time.

More importantly, there are no changes to the OPS remaining plan in which those 40,000 pensioners are

involved. The changes are associated with the actuarial-approved assets that are being moved to a new plan with OPSEU. There are no changes to the actuarially sound remaining plan until such changes are in fact negotiated with the partners involved.

Mr Phillips: We've been told in briefings that it would be illegal for you to do what you're planning to do unless you exempted yourselves from the Pension Benefits Act. In other words, you're doing things the Pension Benefits Act prohibits you from doing.

My supplementary, though, has to do with the basis on which you have arrived at the decision that you're going to reduce the contribution you're making to the pension fund from roughly 8% of salary each year to roughly 3% this coming year and next year roughly 4%, plus you're taking, I gather, a three-year holiday from making any cash payments against the unfunded liability.

I think it's important that the Legislature be aware of the basis on which you have the backup documentation to ensure that is a legitimate, actuarially sound decision. Will you commit today to release publicly the independent actuarial reports that have allowed you to reach the conclusion that you can cut your contribution from 8% of salary to 3% of salary in the next year and 4% in the following years?

Hon Mr Charlton: We have no objection to public review of those actuarial reports. Those actuarial reports, which were paid for by the government and by OPSEU in part, have been provided already to all of the other partners in the pension plan. They're the people whose money is at risk here, if the member were to be correct about risk, and those actuarial results have been provided to those people. We have no concern about a full review of what we've done by the employees whose pensions are involved.

NON-PROFIT HOUSING

Mrs Margaret Marland (Mississauga South): My question is to the Minister of Housing. In April the Ministry of Housing released a paper comparing non-profit housing and shelter allowances which criticized two reports prepared by Clayton Research Associates Ltd, one of the most respected firms of housing economists in this country.

The Clayton studies concluded that in both the short term and the longer term "shelter allowances are clearly a much more cost-effective means of providing housing for needy tenants than non-profit housing."

Clayton has issued a response to the ministry paper. Clayton stands by its studies and finds flaws in practically every argument the ministry uses to defend its non-profit housing policy. One of the most serious flaws is the ministry's failure to consider interest costs, which are a crucial consideration in assessing the long-term costs of the program.

Minister, your so-called discussion paper is so flawed that to promote and distribute it is to misinform the public. My question is, will you withdraw the paper and issue a statement acknowledging the critical errors it contains?

Hon Evelyn Gigantes (Minister of Housing): In

answer to the member's question, I can say that both I and the ministry stand by the analysis which was done of the Clayton report. It's interesting to know, and perhaps this is what is agitating the member for Mississauga South, that the analysis that was done by the ministry indicates that over the 40-year time frame the Clayton report first looked at, the indications are that, if anything, the production of non-profit housing, compared to a reasonable program of rent subsidy, is by far the better investment because one ends up, of course, with a new supply of affordable housing at very comparable cost.

Mrs Marland: This is not the first time this minister has sent out a mailing on non-profit housing that contained serious errors of fact. In January the ministry sent out a mailing to municipalities, the media and several others to "set the record straight" about non-profit housing.

But the Provincial Auditor said the materials made "factually incorrect and misleading statements." He also said the mailing "wasted tax dollars to misinform and mislead the readers." Even the Deputy Minister of Housing admitted that "some of the material in the ministry mailing was not accurate."

Sadly, the Ministry of Housing is distributing propaganda which underestimates the cost of non-profit housing while overstating its benefits.

Minister, the Fair Rental Policy Organization of Ontario, which commissioned the Clayton studies, has asked you to send your discussion paper and the Clayton studies to an independent auditor. FRPO has offered to share the costs of this audit.

The Speaker (Hon David Warner): Would the member place a question, please.

Mrs Marland: My question is—

Interjection.

The Chair: Order, the member for Oxford. Would the member place a question.

Mrs Marland: Will you agree, Minister, to this request so Ontarians will finally know the truth about non-profit housing and shelter allowances?

Hon Ms Gigantes: First, in response to the member's statements about the mailing which the ministry undertook, which included some materials from the Ontario Non-Profit Housing Association, which raised questions in the mind of the Provincial Auditor, let me say that there was nothing misleading about the information that was provided in terms of the content of that information.

I think the auditor certainly felt that there might be a question about the suitability of raising questions of his capability and his role, and we have made it clear in a subsequent mailing to all the people who had the original mailing that that was by no means the intention. In fact the ministry was trying to distribute, as it does in the normal course of events, as much information of an accurate nature to all those who have an interest in the non-profit housing program as is possible. That's the object of such mailings.

Mrs Marland: Are you saying the Provincial Auditor lied?

Hon Ms Gigantes: We always treat every request from the Fair Rental Policy Organization, representing the landlords, some of them very large landlords, of Ontario with the utmost of interest. If I receive such a proposition, I'm certainly prepared to consider it.

Mr Stephen Owens (Scarborough Centre): Smash the poor people.

Mr Noel Duignan (Halton North): It wasn't true, Margaret. You should understand what you're talking about when—

Mrs Marland: Why don't you go back to your subsidized co-op with your \$100,000 income?

The Speaker: The member for Mississauga South, please come to order.

1510

POLICE SERVICES

Mrs Ellen MacKinnon (Lambton): My question is to the Solicitor General.

I commend the actions of the federal government in resolving the native claim relating to army camp Ipperwash, located in the township of Bosanquet. Indeed I have consistently lent my support to the Chippewas of Kettle and Stony Point. However, the transition has not been without incident. Both the native and non-native residents are fearful of further violent confrontation and harassment.

In response to the ongoing problems related to the land claim, the township of Bosanquet, located in my riding of Lambton, forwarded a copy of the resolution passed by council on May 30, 1994, to the Solicitor General. This resolution respectfully requests: "That additional OPP officers be assigned specifically to provide police service to Bosanquet township." These officers should be in place prior to July 1 weekend to provide a visible preventive presence in Bosanquet, similar to that in Grand Bend.

Has the Solicitor General considered the request of the township of Bosanquet, and if so, how many additional OPP officers will be assigned?

Hon David Christopherson (Solicitor General): Let me begin by first of all acknowledging the concerns of the honourable member for Lambton on this issue. She has approached me on a number of occasions to ensure that I am aware of her concerns and those of local representatives. I can understand the frustration of the Ipperwash residents and I understand their apprehension and concern over the possibility of confrontation and what that might mean to them and their public safety.

The member will know that the responsibility for policing the township of Bosanquet is shared by the OPP detachments of Forest and Grand Bend.

Three things I will say on this. One is that the OPP have county-wide scheduling in Lambton county that allows them to deploy 62 constables across the area to ensure that we have officers where they're needed. Second, undercover officers continue to patrol the beach to ensure that there isn't any outbreak of violence. Third, there was a meeting on May 26, attended by a number of representatives of the local community and OPP officers,

to ensure that they are aware of these matters and the plans the OPP has in place.

Mrs MacKinnon: If you are not assigning any further officers to the township, what steps are being taken to ensure the safety of the area residents?

Hon Mr Christopherson: I can assure the member that the OPP have developed plans that would allow them to deploy and respond to virtually any situation that may develop. These plans include the ability to pull together as many people as necessary. Again, because of the number of constables available from the entire area, and the fact that there is county-wide scheduling, they are able to put in contingency plans that would allow them to respond very quickly and very effectively. Third, there will be meetings with the OPP officers who are assigned to these areas so that they are (a) brought up to speed on all of the history of the issues and (b) given detailed instructions on the kind of legislation that's available to them.

In closing, let me say that I'm confident that Commissioner O'Grady and the OPP have put in place the kinds of plans that are necessary to give the honourable member the assurance she needs that her constituents' needs are being met by the Ontario Provincial Police.

PETITIONS

SEXUAL ORIENTATION

Mr Hugh O'Neil (Quinte): I have a combined petition from St Peter's Roman Catholic Church in Trenton, from the Belleville Citadel of the Salvation Army and from the Church of St Michael the Archangel in Belleville, Ontario.

"To the Legislative Assembly of Ontario:

"Whereas, in our opinion, a majority of Ontarians believe that the privileges which society accords to married heterosexual couples should not be extended to same-sex relationships; and

"Whereas for our government to use our tax money to furnish contributions for the propagation of practices which we sincerely believe to be morally wrong would be a serious violation of our freedom of conscience; and

"Whereas redefining 'marital status' and/or 'spouse' by extending it to include gay and lesbian couples would give homosexual couples the same status as married couples, including the legal right to adopt children; and

"Whereas the term 'sexual orientation' is vague and undefined, leaving the door open to demands for equal treatment by persons with deviant sexual orientations other than the practice of homosexuality;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We request that the Legislature not pass into law any act to amend the Human Rights Code with respect to sexual orientation, or any similar legislation that would change the present marital status for couples in Ontario."

FIREARMS SAFETY

Mr Bill Murdoch (Grey-Owen Sound): I have a petition to the Legislative Assembly, which has been signed by people from my area around Owen Sound-Meaford.

"Whereas we, the undersigned, strenuously object to

the Minister of the Solicitor General's decision on the firearms acquisition certificate course and examination;

"Whereas we believe that the Solicitor General should have followed the Ontario Federation of Anglers and Hunters' advice and 'grandfathered' those of us who have already taken safety courses and/or hunted for years;

"Whereas we believe we should not have to take the time or pay the costs of another course or examination, and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Amend your plans, grandfather responsible firearms owners and hunters, and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I have signed this too.

CHARITABLE GAMBLING

Mr Gordon Mills (Durham East): I have a petition with 166 signatures from about 100 households. It reads as follows:

"To the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly as follows:

"Whereas the Ministry of Consumer and Commercial Relations granted a gaming licence to the first nation of Scugog Island to operate a permanent Monte Carlo casino on Scugog Island; and

"Whereas this decision was made without consultation with elected municipal representatives or the taxpayers of Scugog township;

"We, the undersigned, call on the Legislative Assembly not to grant a permanent gaming licence or allow the establishment of this facility."

TOBACCO PACKAGING

Mr Ron Eddy (Brant-Haldimand): A petition to the Legislative Assembly:

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, contains the provision that the government of Ontario reserves the right to regulate the labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces, rather than act on its own, to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national plain packaging strategy the most efficient method of protecting the Canadian public;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with

and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level.”

Signed by 144 residents in my riding.

JUNIOR KINDERGARTEN

Mr Ted Arnott (Wellington): I have a petition to the Legislative Assembly of Ontario and it reads as follows:

“Whereas the previous provincial Liberal government of David Peterson announced its intention, in its budget of 1989, of requiring all school boards to provide junior kindergarten; and

“Whereas the provincial NDP government is continuing the Liberal policy of requiring school boards in Ontario to phase in junior kindergarten; and

“Whereas the government is downloading expensive programs like junior kindergarten on to local boards, while not providing boards with the funding required to undertake these programs; and

“Whereas the Wellington County Board of Education estimates that the operating costs of junior kindergarten will be at least \$4.5 million per year; and

“Whereas mandatory junior kindergarten programs will force boards to cut other important programs or raise taxes; and

“Whereas taxes in Ontario are already far too high;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“We demand that the government of Ontario cancel its policy of forcing junior kindergarten on to local school boards.”

I support this petition as well.

1520

SCHOOL FACILITIES

Mr Stephen Owens (Scarborough Centre): On behalf of over 1,000 students, parents and teachers at St Boniface community school in my riding of Scarborough Centre, I'd like to present the following petition:

“We, the undersigned, petition Her Majesty's government, the Legislative Assembly of Ontario, to reconsider the overcrowded facilities at St Boniface Catholic School.

“We petition the assembly to request funding for a new school. We have over 600 students in our school and half of them are accommodated in 15 portables. These portables take up our whole yard, leaving no play area. The portables fill the yard, depriving us of our two baseball fields and one soccer field. A fire route road surrounds the portables, taking up more of our yard, but it is required for the safety of our children. The washrooms are limited. The staff room seats 12, while there are 38 teachers and numerous other assisting volunteers.

“Our school board, the Metropolitan Separate School Board, has placed us high on its capital grants request list. They list us fifth”—in fact it's sixth, Mr Speaker—“and we ask for your support.

“We petition the government to support the need for our new school addition and ask that you allocate the necessary funds for its approval when you establish your capital grants 1994-95.”

I heartily endorse this petition.

SEXUAL ORIENTATION

Mr D. James Henderson (Etobicoke-Humber): I have a petition to the Legislative Assembly of Ontario which reads as follows:

“We, the undersigned, members and adherents of Kingsway Baptist Church, 41 Birchview Boulevard, Etobicoke, do hereby protest the Ontario Legislature's consideration of introducing into law further legal rights for so-called same-sex couples and marriages, including their adoption of children. We believe these sanctions to be contrary to the revealed laws of God, as set forth in Holy Scripture, and as reflected by nature itself.

“We desire to share Christian love and compassion towards those persons who are homosexual in orientation and practice. None the less, we believe these practices to be immoral and wrong, as both the church and the state have held for centuries. We believe that these practices should be personally restrained and channelled into chastity, in the same way that many heterosexual persons are called to live out lives and lifestyles with regard to sexuality (that is, within the limits and parameters established by God).

“We do also protest the denigration in this way of lawful marriage bonds, believing that any further steps in the direction this new legislation proposes will only result in the increased breakdown of the family, to immorality in society, and to the further physical and spiritual harm to the lives of individuals and of our society as a whole.

“Respectfully submitted by the undersigned.”

That's signed by a couple of hundred of my constituents and by me.

Mrs Margaret Marland (Mississauga South): The following petition expresses to the Ontario government that the congregation of the Mississauga Spanish Baptist Church has signed because they oppose the approval of the same-sex benefits bill that is being debated at Parliament. They feel this bill goes against the moral and Christian values society was built on.

“We feel that by accepting this bill you start to break up the family unit, which is the nucleus of this country. We, as residents of this country, as taxpayers, ask you to vote against the approval of this bill.”

Attached is the list who are against the approval of the same-sex benefits bill, and I will sign this petition.

Mr Mike Cooper (Kitchener-Wilmot): I have received a number of petitions from my community on the subject of same-sex spousal benefits. I guess I have about equal numbers in favour of it, from the K-W Coalition for the Equality of Families, in support of same-sex spousal benefits.

GAMBLING

Mr Michael A. Brown (Algoma-Manitoulin): I have a number of petitions to the Legislative Assembly of Ontario that state:

“Whereas the Christian is called to love of neighbour, which includes a concern for the general wellbeing of society; and

“Whereas there's a direct link between the higher

availability of legalized gambling and the incidence of addictive gambling; and

"Whereas the damage of addiction to gambling in individuals is compounded by the damage done to families, both emotionally and economically; and

"Whereas the gambling market is already saturated with various kinds of government-operated lotteries; and

"Whereas large-scale gambling activity invariably attracts criminal activity; and

"Whereas the citizens of Detroit have since 1976, on three occasions, voted down the introduction of casinos into that city, each time with a larger majority than the time before;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government of Ontario cease all moves to establish gambling casinos."

SEXUAL ORIENTATION

Mr Leo Jordan (Lanark-Renfrew): I have a petition to the Legislative Assembly of Ontario:

"Whereas every individual deserves to be treated with respect and dignity; and

"Whereas each individual has the right to be protected from unjust discrimination; and

"Whereas procreation and the rearing of children involve responsibilities and sacrifices that are assumed by the majority of heterosexual couples; and

"Whereas homosexual relationships are not and indeed cannot be conjugal relationships; and

"Whereas spousal benefits are intended primarily to help these men and women raise their families, same-sex couples do not need or qualify for support;

"We, as citizens, want the members of the provincial Parliament of Ontario to see that the traditional family be protected and fostered as the foundation of human society, as it was meant to be, and that the International Year of the Family be honoured and respected."

That's sent in by people from Lombardy, Smiths Falls, Almonte, Arnprior and Renfrew, and I affix my signature.

Mrs Irene Mathysen (Middlesex): I have a petition for the Legislative Assembly of Ontario:

"Whereas it is a basic right of every adult human being to form a committed spousal relationship with another adult person of their choice under the protection of the law and without discrimination based on whether the individuals are of the same or opposite gender;

"Whereas persons in this province who are members of same-sex families are improperly denied basic, fundamental protections, freedoms, rights and advantages accorded to families solely because they are not of opposite sexes;

"Whereas Ontario's courts and tribunals, the Ontario Law Reform Commission and the Parliament of Europe have found that the denial of these rights is discriminatory and unfair; and

"Whereas an incorrect perception has been generated that members of faith communities oppose ending such discrimination;

"We, the undersigned, as members of faith commun-

ities, support the extension of full benefits and responsibilities accorded to heterosexual couples to persons in established same-sex relationships."

Because I passionately believe in equal human rights, I have signed my name to this petition.

Interruption.

The Deputy Speaker (Mr Gilles E. Morin): Order, please. I'd like to remind the visitors in the gallery that you have to refrain from any noise, any demonstration whatsoever. Otherwise, we have no other choice than to ask you to leave.

NURSING STAFF

Mr Bruce Crozier (Essex South): I have a petition from the nurse practitioners in Ontario:

"Whereas Ontarians currently access one of the best primary care systems in the world; and

"Whereas family physicians are trained to provide comprehensive wellness and medical care very cost-effectively; and

"Whereas this includes diagnosing and treating disease and promoting good health, all under a single roof; and

"Whereas the government wants to allow nurse practitioners to work independently to provide your primary care, this will cost you more and will not improve your health;

"We, the undersigned, believe that the nurse practitioners should work in interdisciplinary health teams with family physicians, not independently. Another level of bureaucracy will not improve care and will cost more money."

I add my support to this petition.

SEXUAL ORIENTATION

Mr David Tilson (Dufferin-Peel): I have a petition with 523 signatures from my riding of Dufferin-Peel, addressed to the Legislative Assembly of Ontario:

"Whereas the Equality Rights Statute Law Amendment Act, 1994, commonly known as same-sex benefits, Bill 167, will change the definition of 'marriage,' and allow homosexual couples to adopt children; and

"Whereas it does not reflect the mainstream priorities of the people of Ontario or the priorities that the Ontario government should be dealing with; and

"Whereas this bill would recognize homosexual couples and extend to them all the same rights as heterosexual couples; and

"Whereas this bill caters solely to the demands of a vocal special-interest group; and

"Whereas redefining 'marriage' and forcing the private sector to pay same-sex spousal benefits will have serious negative economic and social ramifications;

"We, the undersigned, petition the Ontario Legislature to withdraw the same-sex bill and encourage all MPPs to vote against the bill on second and third readings."

I have signed this petition.

ANNIVERSARY OF MEMBERS' ELECTION

Mrs Elinor Caplan (Orillia): On a point of order, Mr Speaker: I'd like to draw to your attention and to the attention of the House that today, June 9, is the 17th

anniversary for four members of this Legislature. The member for Hamilton Mountain, Mr Charlton, the member for Windsor-Riverside, Mr Cooke, Mr Sterling from Carleton and Mr Bradley from St Catharines have served 17 years in this Legislature. They were elected June 9, 1977. I congratulate them and I know all members do.

The Deputy Speaker (Mr Gilles E. Morin): I don't think it's a point of order, but I think it's very fitting.

VISITORS

The Deputy Speaker (Mr Gilles E. Morin): I'd like to bring to your attention some visitors we have in the gallery: The minister, the Honourable John Chang from the Overseas Chinese Affairs Commission, and also Mr Thomas Chang, the director of the Taipei Trade Office.

1530

REPORTS BY COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Ms Haeck from the standing committee on regulations and private bills presented the first and second reports for 1994.

The Deputy Speaker (Mr Gilles E. Morin): Do you wish to make any statement?

Ms Christel Haeck (St Catharines-Brock): I want to thank my committee members for the hard work they and the staff put in to making sure that we could resolve these reports. They comprise several years' worth of work on behalf of the staff and I really do appreciate the effort of all my committee members for making sure that we could get these resolved.

INTRODUCTION OF BILLS

HERITAGE BAPTIST COLLEGE AND HERITAGE THEOLOGICAL SEMINARY ACT, 1994

On motion by Mr Winninger, the following bill was given first reading:

Bill Pr60, An Act to incorporate Heritage Baptist College and Heritage Theological Seminary

TOWN OF ORANGEVILLE ACT, 1994

On motion by Mr Tilson, the following bill was given first reading:

Bill Pr119, An Act respecting the Town of Orangeville

ORDERS OF THE DAY

EQUALITY RIGHTS STATUTE LAW AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT DES LOIS EN CE QUI CONCERNE LES DROITS À L'ÉGALITÉ

Resuming the adjourned debate on the motion for second reading of Bill 167, An Act to amend Ontario Statutes to provide for the equal treatment of persons in spousal relationships / Projet de loi 167, Loi modifiant des lois de l'Ontario afin de prévoir le traitement égal des personnes vivant dans une union entre conjoints.

The Deputy Speaker (Mr Gilles E. Morin): I believe the member for London South was the last speaker.

Mr David Winninger (London South): I had the floor the last day and I'll keep my remarks short, because I understand the Premier will also be arriving to speak today.

When I left off, I was addressing the Charter of Rights and Freedoms, the cornerstone of a free and democratic society in our system of justice and how important it is that we be mindful of section 15, the equality rights section, and as we review our Human Rights Code and other legislation, we find in fact that same-sex spousal relationships are indeed created and distinguished from opposite-sex common-law relationships.

Bill 167 in fact is designed to bring the law with regard to same-sex spousal relationships into line with the rights enjoyed by opposite-sex couples.

In fact, this legislation has support from many different quarters. It has the support of labour, it has the support of business, it has the support of representatives of churches of many different denominations, including the Anglican Church, the United Church and indeed the Catholic Church. It has the support of many professional groups such as the social workers, and I myself have received letters from several psychotherapists.

It's indeed important that we not only affirm the right to pensions, not only the right to health and other employment benefits, but affirm the very dignity of those who are involved in same-sex spousal relationships and treat them equally before and under the law. That's what this legislation is all about.

For example, I received a letter from a resident of London North, a riding represented by a member who has declared that she is voting against this legislation. He says:

"I am a heterosexual male, middle-aged (54), and a long-time resident of London. I am married (32 years), the father of two children, a retired military officer, an engineer by occupation and a practising Roman Catholic by choice. I also strongly support the bill before the Legislature to extend family rights equivalent to those enjoyed by common-law opposite-sex couples...."

I'm not the only one who has affirmed the charter rights which should be implicit in our legislation and which call for the changes embodied in Bill 167. In fact, a letter was received by the leaders of both opposition parties, signed by 26 law professors representing law faculties from across Ontario, and each indicated in their view this bill had to be passed to finally bring equality to people in same-sex spousal relationships.

I have to take this opportunity to disassociate myself publicly from some of the intemperate remarks that I believe were made by the member for Yorkview the other day. I sat through them. I didn't have an opportunity to respond at that time. Others were on their feet perhaps faster than I was. I found those remarks distasteful. I found those remarks offensive. I recognize every member's right, as a matter of conscience, to either support or oppose this bill, but I think some of the comments made by the member for Yorkview were reflective of some of the literature that I've received which I believe comes perilously close to inciting hatred.

Just to conclude, I relied on some of the remarks made by the leader of the official opposition during the by-election in St George-St David, where she called for full equality rights, urged this government to bring forward

the legislation, and vouchsafed to us that she would support the legislation once it was brought forward. No qualifications were imposed on that undertaking at that time. There was no mention of adoption, there was no mention about being uncomfortable about redefining spousal or family relationships.

Now we hear the Leader of the Opposition raising those issues. We've undertaken to present amendments at the committee stage on second reading that would answer all of those concerns, and we still do not hear from the leader of the official opposition the support she promised so many months ago.

Mr Noel Duignan (Halton North): I'm very pleased to rise and congratulate my colleague from London South on his fine speech. I wholeheartedly agree with what the member has said in his speech.

I too would like to get on the record and say I support this particular piece of legislation, because when it comes to human rights, you can't compromise. This whole question is about human rights and ending discrimination against a segment of our community. In a week in which we celebrated the liberation of Europe and the restoration of basic human rights on that continent 50 years ago, I believe all members of the House should get on record, get in and support human rights, because when you talk about human rights, there is no compromise.

1540

The Deputy Speaker: Further questions or comments? The member for London South, do you wish to take your two minutes?

Mr Winniger: I thank the member for Halton North for speaking in support of what I've said. I think that ultimately each member has to live with his or her decision today as a matter of conscience. I'm firm in my conviction that this is the right thing to do. It recognizes fundamental dignity and human rights.

This bill, even with the amendments that have been put forward, represents a quantum leap forward in recognizing spousal relationships involving members of the same sex in the province of Ontario. The cost is negligible. It's certainly an issue whose time has come. I know we're reaching a certain climax in these proceedings, I believe, today where each individual member will come upon his or her conscience in casting a vote.

My mind has been made up for some time. As I've read constitutional law over the years, it's become readily apparent that the courts and tribunals will change the law in a piecemeal fashion. Our calling upon this Legislature to make the necessary decision now will ensure that these laws are brought into consistency with the Charter of Rights. I believe it should have been done many years ago, at the time of the omnibus bill in 1986, but better late than never. Denmark has recognized same-sex marriages for many years. There are other jurisdictions that recognize same-sex adoptions. I don't see why Ontario should follow far behind.

Mr Jean Poirier (Prescott and Russell): I'm the Liberal number three, the one who's rarely identified in the newspaper reports—the other two plus Poirier.

I am proud to tell you that I will be speaking in favour

of Bill 167. I have so many reasons that make me want to say why I'm for it that there's no way I could mention that in the 10 or 15 minutes I have to do it. I threw out my speech; I just kept some of the notes.

But before I read some of the reasons, I just want to read to you a letter in French, but I'll have a very brief résumé in English. I got a copy of this letter that was sent to a member who made his every intention known that he would be voting against this. I received the copy and a phone call last night from the son of the deceased person, who has asked me to read this letter into the record. I've removed all identifying traits at his request.

The first letter, for those, as I jokingly say, who don't have a linguistic pacemaker with them, says: "At the moment that you receive this letter, I died yesterday at the Ottawa General Hospital." It's from a 69-year-old heterosexual father who had a son—the son is still living, of course—homosexual son. Here it goes:

«Monsieur le député,

«Au moment que vous recevez cette lettre, je suis maintenant décédé depuis hier à l'hôpital général d'Ottawa. J'ai toutefois demandé à mon fils, qui demeure dans votre circonscription, de prendre position sur la question du projet de loi 167 et d'envoyer une lettre en mon nom pour expliquer mon point de vue.

«C'est la première fois que j'écris à un député. Jamais auparavant, je n'ai senti le besoin de le faire. Mais cette question est trop importante pour la laisser passer sous silence.

«J'ai 69 ans et je demeure dans un petit village du comté Prescott-Russell. J'ai été élevé dans le cadre de la religion catholique et jusqu'à ma mort, rares sont les fois que je n'ai pas réussi à dire mon chapelet le soir avant de me coucher. Je vous dis cela pour vous dire que je viens de la vieille école et que je suis un citoyen bien ordinaire de la province de l'Ontario.

«La différence entre moi et bien d'autres Ontariens, c'est que j'ai un fils homosexuel. Il me l'a dit lorsqu'il avait 17 ans. Inutile de vous dire que j'en ai été bouleversé. À bien y penser, j'en ai eu honte et j'ai cherché pendant longtemps qu'est-ce que ma femme et moi avions pu faire de pas correct pour qu'une telle chose nous arrive. Comment mon fils pourrait-il être heureux sans avoir la chance d'avoir une femme et des enfants ! Je me suis rassuré en disant que ce doit être une mauvaise phase et que les choses s'arrangeraient avec le temps.

«En fait, l'orientation sexuelle de mon fils n'a pas changé mais une chose a changé. Mon fils nous a présenté plusieurs de ses amis et c'était du monde bien normal. Lorsque j'ai pris ma retraite, ma femme et moi avons fait plusieurs voyages ensemble avec mon fils et un de ses amis. J'ai eu du plaisir, cher monsieur ! Le même genre de plaisir que nous aurions eu s'il avait eu une femme !

«Il y a trois ans mon fils a rencontré un homme originaire de l'île Manitoûlin. Ils sont ensemble depuis lors et vraiment heureux. Je ne vois pas, Monsieur le député, de différence entre eux et une de mes filles qui est dans une relation de conjoint de fait.

«Il semble que vous ayez des préoccupations avec la clause de l'adoption pour les couples homosexuels. Je crois fermement que ce qui compte dans la vie, c'est l'Amour.» Il écrit le mot 'amour' avec un grand A. «L'Amour» — avec un grand A — «nécessaire pour élever des enfants n'a rien à voir avec un pénis et un vagin de la même façon que le droit de vote et l'admission des femmes dans la Chambre des communes n'a rien à voir avec les parties génitales. Je n'aurais pas peur que mon fils et son conjoint élèvent un enfant homosexuel. Ça ne se décide pas comme ça. La preuve, c'est que j'ai élevé un fils homosexuel. Croyez-vous vraiment que j'aurais voulu élever un fils qui serait soumis à toutes sortes de discrimination ?

«Si toutefois vous ne pouvez pas vous réconcilier à l'idée de cette clause, je vous prie de voter en faveur du projet de loi en deuxième lecture et faire passer un amendement qui vous satisfera avant de passer en troisième lecture.

«Je ne pourrai malheureusement pas voir à la télévision les résultats de ce projet de loi mais je continuerai à guider mon fils à partir d'ici.

«Veuillez agréer, Monsieur le député, l'expression de mes sentiments les meilleurs.»

Même si je n'avais aucune autre raison de voter pour 167, cette lettre est suffisante, nettement suffisante pour faire comprendre à tous les Ontariens et à toutes les Ontariennes l'importance d'un appui à un tel projet de loi.

J'appuie ce projet de loi pour plusieurs raisons, comme je vous ai mentionné tantôt, mais laissez-moi en dire quelques-unes.

Oui, c'est une question de droit. C'est une question de principe. C'est une question de justice. Il y a un besoin évident depuis longtemps d'éliminer une discrimination systémique dans la société de l'Ontario.

D'ailleurs, plusieurs décisions de cours à différents niveaux ont tranché en faveur d'éliminer cette discrimination qui est toujours là. On a démontré suffisamment que le manque d'une loi cadre pour corriger cette anomalie va à l'encontre de l'article 15 de la Charte des droits de la personne.

D'ailleurs, j'ai suffisamment lu plusieurs opinions juridiques qui disent que tant et aussi longtemps que l'Ontario ne respectera pas l'article 15 de la Charte, nous serons dans une position où il y aura toujours de la discrimination envers les couples homosexuels.

J'ai lu plusieurs lettres de personnes qui ont vécu et qui continuent de vivre cette discrimination-là ; je vous en ai lu une tantôt. J'ai connu et je connais des personnes qui ont vécu et qui, entre autres, se sont vu refuser d'être auprès de leur partenaire à l'hôpital malade ou mourant, qui ont été repoussées après la mort de leur partenaire, qui ont été refusées accès aux funérailles ou à l'enterrement et dont les enfants élevés ensemble ont été retirés après le décès et dont les dépendants ont été laissés pour compte.

J'en ai connu, j'ai entendu, j'ai vu, et ça a été suffisant pour me motiver à dire qu'il n'est pas question qu'on ne fasse pas quelque chose pour éliminer la discrimination.

Les bénéfiques envers les couples du même sexe : il y a déjà plusieurs compagnies qui offrent de tels bénéfices. J'ai lu partout, et on ne parle même pas d'un coût additionnel de 1 % sur l'ensemble de la paie des employés. D'ailleurs, la Commission des droits de la personne de l'Ontario a justement dit qu'il fallait éliminer ces problèmes de bénéfices-là avec les couples du même sexe.

Qu'on veuille l'admettre ou non, la société a changé. Il y a toujours des gens qui ont une vision traditionnelle de la société, mais il y a des personnes qui ont une autre vision de la société, une vision différente, une vision nouvelle, et ça fait partie d'être Canadien et d'être Ontarien : d'accepter ce qui est différent.

1550

D'ailleurs, dans notre langue, nous avons une expression : vive la différence. Ce qui est différent n'est pas menaçant. Ce qui est différent, c'est un enrichissement. Moi, venant d'une minorité linguistique, je sais très bien que cette différence-là n'est pas une menace à la majorité. Je n'accepte pas que des gens puissent voir qu'un couple ou un individu homosexuel, qu'ils soient gais, qu'elles soient lesbiennes, puisse être une menace à la société. Pour moi, c'est contraire à ma définition d'«égalité».

Question de relations familiales ? Je pense que, en ce qui a trait aux valeurs familiales, c'est un autre dossier, c'est une autre question. Puis, d'ailleurs, c'est contre la loi canadienne et la loi ontarienne de pratiquer une discrimination contre leur orientation sexuelle.

Les gais et les lesbiennes font une partie intégrale de notre société actuelle et ne demandent qu'à être traités avec la même dignité, le même respect et la même compréhension que tous les Canadiens et les Canadiennes aiment dire qu'ils pratiquent régulièrement. La réforme des droits de la personne a toujours été basée sur les principes de justice sociale. Plusieurs leaders de la communauté religieuse, dont plusieurs catholiques, m'ont dit leur appui et ont dit clairement leur appui à éliminer cette discrimination systématique. Ce n'est aucune menace à la famille traditionnelle.

Je dis à mes commettants et à mes commettantes, si vous croyez en la famille traditionnelle, allez-y, croyez en la famille traditionnelle. Créez-en une, une famille traditionnelle. Ayez 12, 15, 20 enfants ; allez-y. Je vais vous applaudir et je vais vous appuyer. Je suis bien content d'être l'oncle honoraire de vos enfants. Ce n'est pas parce que vous avez des voisins, de la parenté, des fils, des filles qui sont homosexuels que ça a affecté votre vision, votre vécu dans votre famille traditionnelle, absolument pas. Vous aviez cette vision traditionnelle, vous l'avez et vous avez le droit de l'avoir toujours, jusqu'à la fin de vos jours, et bravo. Mais il y en a d'autres qui n'ont pas cette même vision-là, et c'est correct également et c'est très bien.

Ma religion, telle que je la vis, m'interdit de pratiquer toute discrimination. Je n'ai qu'une seule définition d'«égalité» et ce n'est pas compliqué, croyez-moi.

J'ai reçu, comme tous mes collègues, plusieurs lettres d'appui, plusieurs lettres contre, et je dirais 45 % d'appui,

55 % contre. Ça va. Même des éditoriaux d'hebdomadaires des petites communautés rurales de l'Ontario viennent en appui au projet de loi 167. Ce n'est pas juste dans les grandes villes de l'Ontario.

I can only regret that the bill was watered down, because we had an excellent opportunity to eliminate systemic discrimination.

Being an environmentalist, I'm used to having people point me out. Back in 1978, I built an environmental house. People laughed at me because I had R-20 insulation in the walls and R-40 in the ceiling. People laughed at me because I built a cistern. People laughed at me for many things. People laughed at me, I guess, because I got elected MPP, who knows? People laugh at me maybe because I'm still an MPP, who knows? And that's okay. I have no problems with that.

As I jokingly say, there's a pack. You can be ahead of the pack or you can be behind the pack or you can be in the pack. I'd rather be seen by the wolf ahead of the pack.

It's a question of time before Ontario society comes around. Sometimes you're penalized by some people because you're ahead of your time. I liked what Lee Iacocca said, I love that very much; trust the old fellow. "You lead, you follow or you get the hell out of the way." Well, let us lead. That's the way I see it.

People come up to me and say, "It must have been hard to make that decision to be part of a magnificent trio." No, it wasn't hard, not at all. It was one of the easiest decisions I've ever had to make, and I wish they would all have been that easy.

Why are they easy? Because I was brought up with just one definition of equality—one; not two, not three, not four. I don't change the definition of "equality" the way I change underwear everyday, as we say in French. I got one, and what's good for the goose is good for the gander, as I say in my adopted second language, English: one definition.

If I care about Ontario, if I care about my community, one definition, not two—never, never. To me this is only common sense as to righting a wrong. That's the way I see it. I'm a Capricorn. Imagine that. I'm a logical animal, and sometimes I have a hard time after 10 years in here. I've said that many times, and you've heard me. There isn't much room in politics for logic. Too bad. I was able to last 10 years. I'm here to vote for 167 today and I'm damn proud.

I guess in the future this will come along if it doesn't come today, but I would like to see it come today, and that's the way I see it. I could go on for a long time. Something tells me I went over my 10 minutes. That's okay. I feel good about this and I hope there will be sufficient members to understand, to push away the partisanship that some individuals and some parties want to do with this. I hope that people will vote for this so that we can turn the page for a large part of society, and even those like me who are heterosexual, that we can be proud to be Ontarians together.

The Acting Speaker (Mr Noble Villeneuve): Questions or comments?

M. Gilles Bisson : C'est avec un gros plaisir, mon ami Monsieur Poirier, le député de Prescott et Russell, que je me plante ici aujourd'hui dans notre langage pour vous dire félicitations, premièrement. J'étais sans aucun doute où vous vous teniez sur la question. J'ai toujours su que vous avez compris que notre responsabilité dans cette Assemblée, c'est de faire face aux problèmes de notre société, et quand il y a des discriminations, de dire que nous, comme députés, avons une responsabilité de faire sûr qu'on peut mettre fin à la discrimination.

Je vous ai écouté parler avec une certaine fierté. Je pense que ce que vous avez dit rassemble toute la pensée du monde qui comprend vraiment que ce dont on parle ici, c'est une question de discrimination, et je vous applaudis.

J'aimerais vous dire, parce que c'est possiblement une des seules chances que j'aurai de vous le dire, que je vous ai vu sur beaucoup d'autres questions, et quand ça en vient à la question de discrimination, vous avez toujours été là pour vous battre contre le monde. Vous avez compris que, dans le passé, nous autres les députés, on avait une responsabilité de nous battre contre la discrimination, aujourd'hui et dans le futur. Je vous salue, Monsieur le député.

M. Bernard Grandmaitre (Ottawa-Est) : Rares sont les occasions d'aller au contraire de mon collègue à gauche, mais par contre, aujourd'hui je sens que j'ai la responsabilité, pendant deux minutes, non seulement de répondre à mon collègue le député de Prescott et Russell, mais d'émettre les raisons, les pour et les contre de mes commettants qui m'ont écrit, qui m'ont appelé en plus de ça, depuis les trois ou les quatre dernières années, depuis que le gouvernement NPD de M. Rae avait fait la promesse d'amener devant cette Assemblée un projet de loi qui éliminerait la discrimination envers la communauté gaie et lesbienne.

Je crois fermement que nous avons une responsabilité d'abolir toute discrimination en Ontario. Certains gens vont me penser politicien, mais je vous rappelle que j'ai été élu ici pour être politicien. Ça, c'est numéro un. Je veux voir cette discrimination-là, toute forme de discrimination disparaître, mais je déplore la façon de laquelle le gouvernement s'est pris à la onzième heure de présenter un tel projet de loi.

On parle de modifications. Les modifications ne font pas partie du projet de loi 167. Ce sont un demain. C'est après la deuxième lecture. Je dois vous dire, très honnêtement, que je n'ai pas la ferme conviction que le gouvernement —

Interjection.

M. Grandmaitre : Le premier ministre m'accuse de faire de la politique. Si le premier ministre avait vraiment une conscience claire, il aurait apporté un tel projet de loi il y a quatre ans.

1600

Mr Gary Malkowski (York East) : I'm very proud to participate in the response to the member for Prescott and Russell. Really, the message that you have given shows leadership and shows the personal experience of someone who has a family member who is gay. I think we have to

send that message to the members of families who happen to have members who are gay or lesbian. We have to show that we have the greatest example. We have to set the highest standards for tolerance and respect in Ontario. I think that's the point, and that's the reason we're here.

I wish to congratulate you on your comments and on sending this positive message. I'm sure your children and all children who may have straight parents may be proud of your comments, and I would like to join with you in your comments. I'm proud of my children, who may happen to be gay or lesbian in the future, and I would be proud and I would like to show those comments to them in the future. As you said as well, *vive la différence*.

Mr John Sola (Mississauga East): I would like to congratulate the member for a very moving and emotional speech, but I must say that I have to disagree with him on his conclusion, and I want to state the reasons why. He said: «C'est une question de droit. C'est une question de principe. C'est une question de justice.» May I add that the member for Halton North in a previous statement had said, "On a question of human rights, there is no compromise."

If that is so, I would like to raise this question: If this was a matter or a question of rights, a matter of justice, a matter of principle and a human rights issue, would the vast majority of the people of this province be opposed? Would this House be as divided as it is? Would that government have watered down the legislation as much as it has?

If it is a matter of principle, if it is a matter of justice, if it is a matter of rights and if it is an issue of human rights, then I agree there is no compromise. But since compromises have been made, I think that even the members of that government have realized or have come to see the issue as we see it on this side of the House. I refuse to accept that this province, this Legislature and this country would be as bigoted as this newest letter that I received that we are McCarthy wannabes. I reject that totally.

The Acting Speaker: This completes questions or comments. Le député de Prescott et Russell a deux minutes en réponse.

M. Poirier : Oui, ça prendrait sûrement plus que deux minutes pour répondre.

Le fait demeure que je crois sincèrement que c'est une question de droits, de principes et de justice. Il y a des gens qui s'y opposent pour toute une gamme de raisons de la même façon que moi et d'autres on l'appuie pour toute une gamme de raisons.

Je n'ai pas à entretenir et à décrire la gamme de raisons de ceux et celles qui s'y opposent. Moi, je me suis concentré sur l'aspect positif de la chose, sur l'aspect des raisons pourquoi moi et d'autres nous appuyons un tel projet de loi. Je ne veux pas donner la plate-forme de ceux et celles qui s'y opposent. Ceux-ci n'auront qu'à se lever ou dire d'autres choses et nous expliquer pourquoi, pour quelles raisons, qu'elles soient politiques ou qu'elles soient autres, ils n'ont pas la même perception de ce projet de loi que moi et les autres qui l'appuient.

Thank you for your support. It doesn't often happen this way, does it?

Interjection.

Mr Poirier: That's okay. I wish it would happen more often.

I will repeat that I wish this could have been done much earlier. I say that in a non-partisan sense and I think we all agree. Having spoken many times in private with a lot of you, we all agree, late, but better than never. Now better than later, so that we can go on and try to do a lot of other things that need to be corrected in Ontario. Lord knows, the list is long.

I just tried to show that there are many positive aspects to this and that a lot of the fears that I've seen expressed in telephone calls and faxes—and faxes and faxes—and letters, with all due respect, I don't think are warranted whatsoever. I don't feel that. There are many positive reasons to do this, and I hope that this Legislative Assembly will do the right thing, even though it's watered down.

The Acting Speaker: Further debate?

Hon Bob Rae (Premier): I rise to participate in the debate on what I think most of us expect will be the final day of consideration of this question.

I thought I would take as much time as I'm permitted to speak directly to as many members as I can, speak to them as the first minister and say to members directly that in looking at this question, I think we would all be wisest to really try to look at it in a spirit of generosity and, as much as is humanly possible, in a spirit of non-partisanship.

If you look at the evolution of society's attitude to this question, and it is an attitude that has evolved over time, it is one in which legislators have, from time to time, exercised leadership. Yes, they have exercised compromise, and I'll come to that, but they've also exercised leadership.

Back 40 or 50 years ago, relatively recent modern history, homosexuality, a homosexual act between people was a criminal act. It was forbidden by the law and there were a great many people who lived in fear of persecution, in fear of prosecution. The debate took place in a number of countries: in Canada, in Britain, in the United States, in a number of countries.

In Britain, the report that stands out as the beginning of enlightenment on this question was the Wolfenden report. In that report, the royal commissioner pointed out to the British public that it really was incredibly unfair and harsh for the state to attempt to impose one version of private morality on an entire society and on people's private, consenting acts.

1610

Of course there was a major debate, and of course many of the features of the debate that we are hearing today were heard at that time: that homosexuality in and of itself is immoral, that there is no way in which the law could possibly countenance or recognize or permit homosexual activity between consenting adults.

That view, if I may say so, with great respect to the

people who have continued to express that strong point of view, has been rejected by every Legislature in the western world. There is now no Legislature in the western world which accepts the notion that somehow the law should seek to impose a particular sexual morality on an entire society. There is no modern Legislature which would contemplate doing that. When Mr Trudeau, as Minister of Justice, introduced the changes to the Criminal Code in 1967, he brought the Canadian Criminal Code in line with the changes which were then under way in every other jurisdiction.

It's important that we reflect for a moment on the pain and suffering and hardship which the kind of discrimination, not only in the law but in terms of social attitudes, has caused to thousands and thousands of people, many distinguished people. I've just finished reading a biography of John Maynard Keynes, and he was a homosexual. In this book it describes how he was afraid that his landlady—this is when he was a senior adviser to the Treasurer—was going to denounce him to the government. I don't have to, for the benefit of members, go through the field of art and science, of music, of law, of literature, of business, of police, of this Legislature, of everywhere else—

Mr Hans Daigeler (Nepean): That's not what we're talking about.

Hon Mr Rae: I hope the honourable member will allow me to complete a few thoughts today.

We have to reflect on what that has meant. The evolution of the law has been extremely important.

The law has evolved as well in term of this province. I can reflect, and I think members will join me in this common understanding, that during the 1970s the question then became that as the Criminal Code was being changed, it was then the next step that the Human Rights Code would be changed so that sexual orientation could not be the grounds for discrimination. This Legislature went through a period of discussion during the Conservative minority government when there was some suggestion that some changes like that might be made, and they were not successful.

I can recall the election of 1981, in which that issue had been raised and in which there had been some question as to how it would be supported and how it could be done. I can remember getting, in that election, people at the doorstep saying they were opposed to that idea, that they didn't feel it was the right thing to do, and I can remember people feeling very strongly that it's something they felt it was time to happen.

When the government changed in 1985, the Attorney General of the day, Mr Scott, brought forward amendments to the Human Rights Code which did not include any changes with respect to sexual orientation. The bill went to committee. The member for Ottawa Centre moved amendments, some of which were accepted, which led to changes, which were debated in this House in 1986. We had support from all three parties, very modest support from one party, but we had support from the other two parties for the change, which meant that sexual orientation could no longer be the grounds for discrimination with respect to employment.

I can remember that debate. I spoke in it, Mr Peterson spoke in it, Mr Scott, a number of members spoke very strongly in it, and it was, like this debate today, one of considerable emotion.

I can remember that in my remarks at that time I focused a lot on the issue of privacy and said that really the logical next step, in terms of the positions that were taken with respect to the Criminal Code, was for us to recognize that people had a right and have a right to a private life. They have a right to be themselves. They have a right to be who they are, without shame, without fear, with acceptance.

I feel that even more strongly today than I have ever felt it. But I feel as well that, in a sense, our society has evolved from the point that we're not only saying, "Yes, you have a right to be private, but for goodness' sake keep it private," but to the point now where surely we can say: "Look, there are gay people and lesbian people in our society. They have a right to be who they are. They have a right to their own lives. They have a right to their own partnerships. They have a right to choose who they will love and who they will live with."

It's interesting when you go down the list of employers that now recognize this concept of a benefit being paid on the basis of one's domestic partner being whomever one chooses as one's domestic partner. Sometimes, when I hear the kind of reaction I'm getting from some members because of something they're afraid of, or some force they're afraid of, I wonder. They say, "You guys are way out somewhere on some fringe and we're with the great majority." I don't happen to feel that's true. I really don't feel that's true. The folks who are opposed to this, if they're opposing it for political reasons rather than for reasons of real conscience that they can't accept it, are riding the wrong wave.

Let me just list the companies: Alfred D'Allaire, Blue Cross, the city of Ottawa, the city of Kanata, the city of Kitchener, the city of Toronto, Dow Chemical, the Globe and Mail, the government of Ontario, the Hamilton Spectator, Harbourfront Centre, Hudson's Bay Co, the Law Society of Upper Canada, Levi Strauss, London Life Insurance, the London Board of Education, Lotus Corp, McGill University, Metropolitan Toronto, the Metropolitan Toronto Police Force, National Grocers, North American Life Assurance, the North York Board of Education, Northern Telecom, Ontario Hydro, Oracle Corp, the regional municipality of Waterloo, the regional municipality of Ottawa-Carleton, the Royal Bank, Ryerson Polytechnic, Sears, Southam Publishing, Stentor Resource Centre, the Toronto Board of Education, Toronto Hospital postgraduates, Toronto Hydro, Toronto Public Library, the Toronto Sun—

Laughter.

Hon Mr Rae: It's true—the United Church of Canada, the University of Toronto, Warner Brothers, the Wellesley Hospital, the YMCA and the YWCA, and York county hospitals. That's just a list which has been provided to me.

These are not radical organizations. When the Royal Bank, Sears, Ryerson Polytechnic University, the Wellesley Hospital and London Life Insurance can all agree that

it's time to move ahead, who are we as a Legislature to fall behind?

In fact, it's worth pointing out that just over a year ago, the Attorney General and I received a letter from the leader of the official opposition. I want to read this letter out simply as a way of saying that—

Interjections.

Hon Mr Rae: Apparently the leaders of the Liberal Party don't want to me to read out a letter which was written by the leader of the official opposition.

Mr Robert V. Callahan (Brampton South): This is disgraceful, Bob, disgraceful. For a Premier of this province you are disgraceful, absolutely disgraceful.

The Acting Speaker (Ms Margaret Harrington): Will the member for Brampton North come to order.

Hon Mr Rae: The member from Brampton is saying that it's disgraceful for me to read a letter from the leader of the Liberal Party, the leader of his party. I would just say to you that at one time the leader of the Liberal Party said to me in a letter—I don't want to inflame the honourable member any more than I already have, because apparently I'm not allowed to read out a letter from his leader.

1620

I will simply say, for purposes of this discussion, that when I am told, for example, that our government has broken a number of promises to the gay and lesbian community, that we have refused to extend same-sex spousal benefits to private sector workers and that, "If you will agree to bring legislation forward immediately, I will do everything possible to facilitate passage," when she says, "It's evident to me that our courts and tribunals are recognizing that same-sex couples have entitlements to family and survivor benefits and are moving in this direction. I'm calling on you to heed this direction and take action now to recognize the rights of same-sex couples," I can only say that I believe at that time that was part of a general reflective mood, and I believe that's what the honourable member believes. I tell the honourable member and I tell members opposite, that's what I believe too.

I would say to members, let us look at this issue not as one in which we say: "That was then and this is now. Now we won't do anything about it because it's not an issue, or we don't like the way the government has done it, we don't even like the way the government has brought in its determination to bring in amendments." I say very directly to members, particularly to members of the Liberal Party whom I've heard saying in the press—and I heard the member for Ottawa East make the same point again, so I know it's part of a concerted approach that's being taken—"The reason we can't support the bill now is that we don't trust the government," I say to them we have made a commitment. It's very clear. It's very specific. The motions are prepared in terms of what we will do. They're all ready. They've been circulated. I say directly to members opposite that if on third reading the bill does not approximate or does not lead to what it is they want, then by all means defeat it at third reading. But don't extinguish it now. Give it a chance to go to

committee. Give the committee a chance to hear the amendments we've indicated. Do not extinguish it right now.

I say to members, we have listened. You said you had to have a free vote; I called a free vote. You're going to see how free it is on our side. It's a free vote, I don't mind saying to my colleagues that internally, yes, there have been emotional debates, we've had emotional debates and emotional discussions, and it was clear to me at a certain point in the discussion over the last 10 days that we were not going to be successful if we simply moved ahead with the bill in the form in which it was presented. The Attorney General reached the same conclusion herself on the basis of what she was hearing, what we were all hearing.

This has been an extraordinary debate for the province. I happen to think it's been a healthy debate for the province. I happen to think it's one which is going to advance the understanding and the sense of tolerance in our society—not easily, but I believe that at the end of the day that is what is taking place and that is what will happen.

It's often said that in politics you're not supposed to say, "We couldn't get that thing through so now we'll have to do something else." I admit that when you call the kind of free vote and the kind of free debate we've had, people knowing where I stand—and I think that's very clear to everyone here, my own view as to how we have evolved as a province and how we have to accept the fact that precisely because there are enduring partnerships between gay and lesbian people, those partnerships are entitled to equality before the law, those partnerships are entitled to a sense of respect before the law.

I happen to believe that the courts will find their way to that conclusion, but I also happen to believe that it isn't right, even with the charter, for legislators to back off and say, "Oh, we'll let the courts decide that. That's too difficult an issue, that's too hot a topic, that's too difficult a topic." I think we have to face up to it, I think we have to deal with it, and I believe that's what this bill, as amended, will do.

I would say to members and I would say to everyone present here that we have made the very clear commitment to the people of this province that we would move in a way which reflects the evolution of our society and the evolution of Ontario.

As I travel around the province, of course I hear different views on this subject. I hear from some who say to me they don't want the law to even countenance the very idea of homosexual partnerships, of gay and lesbian partnerships. They can't accept the notion that the law should do that, to which I can only reply, in a secular society such as ours and in a diverse society such as ours and in a society such as ours which reflects different values, different traditions, different people, people who live differently, it is only right and fair that the law should reflect them as well.

When I spoke on the constitutional debate, I often said that the first freedom, the first right that people have, is the right to be themselves. It's to see in the Constitution, in the legal structure of their country—it's to be able to

look in that mirror and see themselves and know that the constitutional mirror of Canada and of Ontario doesn't exclude them. It includes them. It gives them a place.

It means that they're people here too, that they're not going to disappear or evaporate or be continually embarrassed or live in shame or fear by virtue of who and what they are. That's not a reasonable perspective. It's not, in my view, a balanced, tolerant way in which we're going to build a generous society.

Then I had people say to me: "It's the wrong time to do this. It's not the right time to do this. There must be a better time." Well, I suppose there might have been a better time than 1990 to be asked to form a government. There are lots of times when you say to yourself that life would be easier or better if you didn't confront a difficult situation, because let there be no question: This is an issue on which there are emotions that are strongly expressed and strongly felt.

But let me also say that you can't really avoid issues when the courts are raising them, when the Human Rights Commission is dealing with them, and when we have the simple, fundamental fact that the gay and lesbian people of this province are here and they are saying very clearly to the rest of us: "Include us in. We're not challenging the nature of legal authority in our society. We're not challenging the nature of the modern family. We're not seeking to cause a total revolution in the way in which people live. All we're asking is that people recognize that we live on your streets, we live in your apartment buildings, we own houses, we pay taxes, we contribute to society, and we work at every level of our society." There isn't a branch or part of this province where gay and lesbian people aren't working and living and being themselves.

I suppose there was a time when the Premier of this province would never say those words for fear of being struck by lightning, but I'll say it again: Gay and lesbian people are with us and part of our community, and I say, as Premier of the province, you have a right to be part of this community and you have a right to be included in the way in which we draft and build the legal structure and the social structure of this province. That's your right.

Je ne peux rien ajouter aux paroles de mon ami le député de Prescott et Russell. Je crois que la lettre qu'il a lue reflète une réalité que j'ai vue moi-même dans beaucoup, beaucoup de communautés : des gens qu'on pense être très, très conservateurs à ce sujet à cause de leurs valeurs personnelles ou à cause de leurs expériences comme génération, et dans beaucoup de situations ces gens ont dû répondre à leur situation familiale, qu'ils ont une sœur ou un fils ou une fille qui dit, à l'âge de 17 ou 18 ans, « Papa, je suis homosexuel. » D'abord, ça cause une réponse d'émotion profonde, mais on voit beaucoup plus souvent le triomphe du cœur humain ; c'est ça qui triomphe dans les familles que nous voyons.

I've seen the member for Prescott-Russell, whom I obviously listened very carefully to, and he spoke so wonderfully—and I think the letter that he read has got to be one of the most moving expressions of human emotion that I've heard read in the Legislature. I think

the situation that he described is one that all of us can relate to, where people who perhaps before this experience had never before thought they would be faced with this kind of choice—parents, who have very strong views and who have a very clear-cut sense of what should be and what should not be—are confronted with the fact that a child, a sister, a brother says, and has said in the last 20 and 30 years, that they are homosexual, gay or lesbian.

1630

There's been a dramatic change in our society in the last 20 or 30 years. For a whole period of time, for a whole generation, for decades and decades, this was not an admission one could make, even to oneself, let alone to one's loved one. But we've changed, and families have changed and parents have changed, because they've had to change, because they're faced with the choice of either refusing to recognize that human reality or understanding that love can take different forms and can express itself in different ways.

That's what we now confront. We have an opportunity, I believe, to right some wrongs. I would repeat very directly to the members of the House my sense that the province is ready for this kind of recognition, that the private sector is already giving this kind of recognition and that it diminishes us a little if we show ourselves unprepared to make the same kind of recognition.

I want to say to all of my colleagues that whatever happens, it is crucial for us to remember the need to build a more tolerant and a more caring province, and to simply make the observation, based on my political experience—and this is a political question. We offer a compromise because we believe that politically it's better to get something and move the yardsticks ahead than not to. Simply put, that's my view, as a politician. I know there are some who would refuse even to describe themselves as politicians, but that happens to be what I've been doing for the last 15 years and I think that for us to move ahead a bit is better than not to move ahead at all.

But I would say to the House and I would say to the province that the message that I'm getting from the gay and lesbian community, as well as from a great many other people, is that however politically inconvenient it may be, and however some people might prefer to say, "This is a hot issue. For goodness' sake, put that one on the back burner, or on another burner or, preferably, take into another room altogether," it won't go away. It's not going to happen, and I'll tell you why it's not going to happen: because gay and lesbian people are here. They're here among us. That's a reality that we have to come to terms with, all of us personally, in our own attitudes, in the views that we respect, that we repeat, in the statements that we make, in the jokes that we tell.

But it's also something that's going to be reflected in our laws. The courts and human rights tribunals will move us in that direction. Legislatures around the world are moving in that direction. Sweden and Norway, California, Hawaii, the European Parliament, the drive, the move is inexorable.

So in my view, and what I would say strongly to my colleagues in all parties, it is time. It's time for us to

make the move. It's time for us to be inclusive. It's time for us to respond to the simple quest for equality and to the simple demand for human justice. It's time, and I will certainly be standing in my place to express my strong support for the approach that the Attorney General has taken and for our commitment as a government to moving ahead on behalf of the people of the province of Ontario.

The Acting Speaker: I thank the member for his contribution. Now we have time for questions or comments.

Mr Callahan: I think if the Premier checks my record on the voting on Bill 7, he'll understand that I understand the concerns of gays and lesbians. I was influenced to vote on that bill because a mother called me up and said: "My daughter's a lesbian. What do I do, Mr Callahan?"

But the bill that you've presented, and the Attorney General is responsible for this, went far beyond whatever Ontarians would accept. You now try to repatriate that by amendments. You tell us the amendments will be put in after second reading. Well, I'll tell you, I've chaired a lot of committees around this Legislature and you're playing smoke and mirrors with those poor souls, those poor human beings, because the amendments you're suggesting, Madam Attorney General and Mr Premier, would be ruled by any Chairman who knew anything about this place to be out of order, because they totally gut the principle of the bill.

If that's the smoke-and-mirrors politics you want to join with the Conservatives in playing, in dealing with human lives of people who care and are expecting your government to do something, Mr Premier, I find that abominable. This Legislature is being used for political purposes and I object to that.

Interjections.

Mr Callahan: Well, you look at my record, why I voted for Bill 7. I voted for Bill 7 because I cared about those people. You people have brought in a bill, you can't get it through the House, you're going to water it down, you want to talk about it as, "We can't do it, so here's what we're going to do."

I suggest to you, Mr Premier, this is probably the darkest day in the history of this province in terms of politics in this House. You've spoken about human rights. It's not human rights. You don't understand the bill. You brought in a bill that was far more than anything that could possibly be sanctioned by this province, and you have in fact left these people out in the cold. You're going to say to them on election day, as will Mr Harris, the leader of the third party, but you'll do it in a different way; you'll say, "We tried and we couldn't accomplish it." Well, I say shame, Mr Premier. Shame.

Mrs Irene Mathysen (Middlesex): I listened very carefully to the remarks of the Premier and I was reminded that whenever we're confronted by our prejudices and our hatreds, we invariably hide behind excuses for those prejudices and hatreds, because it makes it easier for us to feel a little more comfortable when it comes to looking at the people who are adversely affected by those prejudices.

1640

I'd like to remind people here that for those who said we couldn't have pay equity so that women could earn salaries and wages that reflected their skills and experience because, of course, the economy wasn't strong enough, it wouldn't support it, they hid behind that excuse. When it came to employment equity, well, the excuse there was the myth that everyone had access to employment and jobs. Of course, there was the recent Sun cartoon that reinforced the myth that women are raped because of their appearance, and that paper hid behind the excuse that it was a matter of freedom of the press. Now there are those who would deny equal rights to gays and lesbians and hide behind moral indignation.

I'd like to remind the members of the House that the prayer that is recited here every sitting day calls upon us to ensure an Ontario "where freedom rules and justice prevails." I think we should stop hiding and making excuses and vote for Bill 167, because it's time Ontario did indeed become a province where there is freedom and justice for every citizen.

Mr Gregory S. Sorbara (York Centre): I listened very attentively to the remarks of the Premier and I must say for the record that I think it was as thorough and honest an assessment of the realities of equality seekers in Ontario as he has delivered or anyone has delivered in Ontario in quite some time.

Yet later this afternoon I will be voting against Bill 167, and I will be doing it with a tremendous degree of regret. I simply want to say to the Premier that while I could endorse virtually every single comment that he made in his speech, the reason this bill will fail ought to be focused at least in part on the way in which the government has managed this issue.

Ever since the very eloquent letter from my leader went to the Premier, I had believed that there was an opportunity for this Parliament to come to a consensus on moving the yardsticks on this issue. I simply say to the Premier that on this very volatile issue his management skills have not been what I would have expected. It goes right down to the comments of the Attorney General yesterday after presenting her amendments, when she added that the changes announced yesterday have removed any justification for MPPs to vote against this bill, "If they do, it will be a clear indication that they are voting purely on the basis of fear and homophobia." I want to say publicly to the Attorney General and to the Premier that it is that kind of characterization in this debate that has a great deal to do with the fact that this bill will not pass today.

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): I listened very carefully. I guess I'm responding to the Premier here but to a certain extent we respond to each other. I think the Premier put things in perspective in a way that we needed to today. I understand what the honourable member who just spoke is saying, but I want to try to put something in perspective here.

When I raised your leader's, the Liberal leader's, letter, I said in this House before, and I say it again, I have not been playing politics with this issue and I think every-

body here knows that. My goal has been to try to get this bill passed, and I'd be the first one to admit that perhaps we could have done it differently, that perhaps we could have done it better. It has been, as the Premier said, a difficult issue for all of us for many reasons, but I would say that today is our opportunity.

Let me tell you that when the Liberal leader wrote that letter, and I'm raising it in this context, I believed her and I rejoiced, because we didn't have all the support in this caucus that we needed. When I saw that letter, all I could think of was: "The Liberals have promised their support. We have got more support on the other side of the House."

I rejoiced and I believed that letter, and so we moved ahead without all the votes and all the necessary support on this side, thinking, and from my heart believing, that there was a positive response from over there.

So what I am asking today, genuinely from my heart, because this is the day we're going to make a big choice, is that people will put aside partisan politics, will put aside the sentiments that it should have been done this way or that way, and realize that today is our chance to put all that aside and take the opportunity to seize this and support the bill.

The Acting Speaker: The member's time has expired. The Premier.

Hon Mr Rae: I would say to the honourable members that I haven't given up my hope that they will try to listen to what I'm saying, and I'm saying it to them directly.

First of all, with respect to the member for Brampton South, we have obviously discussed the amendments with the Clerk's office and we've been advised that they are in order. We wouldn't be doing this after all the debate that's taken place—I mean, it really sort of defies credulity to believe that the government would be doing this for any other reason.

You can say, "Look, you could have managed it better," but the question here is one of you have an open debate and you listen to the debate. What were the key issues raised in the debate? Adoption and dealing with the question of "marital status" and "spouse," and saying, "Can you do it a different way?" We came to the conclusion that we could and that we should, and that in order to get the bill through and to deal with it, we do it in that way.

I would say directly to members, first of all, that the argument that was made by the member for Brampton South that somehow what we're doing is not in order is just not true. It just isn't true. He should know that. It just isn't the case.

I would say this directly to my good friend for York Centre: I've seen different views of his reported, in both the Italian and the English media, with respect to his views of what the law should and should not do, so I'm interested in hearing him say that he is of a certain view. I would say to him and I would plead with him, if that is really his position—and I believe it is, because I believe that he comes into the House and says that's what he could support—if that's the position that's being put

forward by some of them, I would say to him, with great respect, let it go to committee, and then if what you see at third reading does not comply with what it is you think should be there, vote against it. That's perfectly okay. No one would criticize you. I would be the last to criticize you.

We have a chance to do it, so let this bill go to committee, let it be heard and let it be voted up or down on third reading. That's the better way for us to proceed with it.

The Acting Speaker: Further debate?

Mr Carman McClelland (Brampton North): A few weeks ago on May 19, I stood in my place and voted yes on first reading. Quite frankly, it was one of the more difficult votes I've cast since I was first elected in September 1987. I can only say that since that time I have had perhaps the least pleasant number of weeks of my political career in many respects, but in many other respects perhaps a re-examination of why I'm here, what this place is all about, and not trying to sound too lofty, a sense about some principles of this place and the process that we engage in in terms of discussion, and hopefully, as the Premier said, an honest and open and complete healthy debate.

I read with some interest an editorial in one of the papers today that said it was more or less extraordinary that a full and complete debate had actually exchanged opposing views that may result in some change of opinion, some movement, if you will, from people's point of view, that it was not the norm in this place.

When I voted yes on May 19, I took a lot of heat from a lot of different quarters. I want, at the outset, to thank those of my colleagues who understood why I did that for their support and their encouragement. Some are in the third party, and they know who they are and I want to thank them particularly, and some of my own caucus as well provided me with some considerable encouragement, many of them not even knowing some of the difficulty, if I can use that word, that I was running into with some of my friends and indeed colleagues here and people in my community.

1650

One of my colleagues, it matters not which party he or she represents, indicated to me that we weren't paid enough money to go back to the constituents and explain the process. I had an editorial in my local paper say that maybe they understood why I did what I did, but politics was already too confusing and it was ill-advised of me to do something that might confuse people in terms of the process.

I voted yes for first reading because I believe that debate is essential and a fundamental part of this process we call democracy. I find it difficult personally—and I make no judgement. I understand why people voted no on first reading; they understood the essence of the bill, they felt they knew ahead of time what was there and felt in conscience they had to vote against it.

It seems to me, however, that whatever one's point of view is, whatever she or he may have as their point of view and conviction, one of the privileges and indeed

responsibilities we have in this place is to stand and indicate why we believe what we believe.

If this were to be my last speech, and I might even say significant speech—I don't know if it will be or not—in this place—I don't know what the future holds. I don't know if I'll be returned whenever the Premier decides to have an election. But if this were to be the last opportunity I have to speak in this place, I would want to make a couple of points and one of them is this: I have endeavoured to represent the people of my community. In so doing, one of the aspects of that requires that I communicate and dialogue with them.

Over the past few weeks, I have received in excess of 100 phone calls virtually every day, countless letters, countless faxes, indicating points of view on Bill 167, some in favour, I say very candidly, the majority opposed. I might say to some of those who called and expressed their displeasure with 167 or their opposition to it that I take some exception to the manner in which the message was communicated. There are people who, I am sure, in their hearts believe that they're doing the right thing. I would ask them to consider how they're trying to communicate the message.

I think all of us are ultimately a product of a variety of ingredients. We're a product of our environment and the value system we have been taught. We are part of things that we fundamentally believe in terms of our various faiths or lack thereof, and I have to say that I am a product of an upbringing that has presented a value system that, quite frankly, I haven't lived up to in most respects. But at the end of the day, I believe there is an empirical, fundamental value system that I happen to believe in and that I have to adopt as foundational for the decisions I make, and a value system which ultimately becomes an expression of who and what I am. I can't isolate that here in this place or in my home or in my community or in my recreation. I am what I am, and that's a product of everything, including the value system I have.

I believe that one of the things we all share in this place is a high desire for tolerance and understanding. Sometimes we confuse the logic that says that tolerance is part and parcel and necessarily a part of a full endorsement of an alternative value system. I say very, very clearly that I have no difficulty in presenting a point of view, from a logical point of view, that says that tolerance is not exclusive of non-acceptance of a particular value system.

I indicated that if this were to be my last speech in the House, I would want to say that I have tried to do the best job I can in terms of representing my community and at the same time sometimes providing leadership. The Premier said that leadership is stepping out in front. Yes, it is. Sometimes leadership also includes standing—nobody is ever alone, but standing here sometimes feels like you're alone, when you believe in something. That's part of leadership too, and many of my colleagues are going to do that today. Even though they've heard from their constituents that they don't want them to vote in favour, some are going to vote in favour.

I voted yes on first reading because I wanted to have

an opportunity to dialogue on this issue, as I did not believe it would go away. I did not believe that by seeing it defeated on first reading, the type of discussion and the atmosphere in which tolerance could be advanced, sensitivity to those of the lesbian and gay community—who, as the Premier said, live among us, some in our families—could be advanced, in an atmosphere where we didn't have an open and full and complete debate.

I confess that I don't have any particular wisdom or particular insight that is new to bring to this place today. As some of my colleagues would know, I have been away, some distance away from this place, and I've read and followed with interest the debate that has taken place. I appreciate the comments of many of my colleagues. I disagree with many of you, but I appreciate what you have to say and why you're saying it and where you're coming from.

I said I would do the best to represent and provide leadership in my community. I indicated after first reading that unless there was something particularly different or unusual in the bill from what I anticipated, I would in all probability be voting against it on second reading. But I felt the bill deserved and I needed the opportunity to at least look at it and consider it in its entirety.

That has been done. That has been done with a great deal of emotion and a great deal of pain, I suspect, by a number of people.

Notwithstanding the fact that the government has made a commitment to bring in amendments, today I'm voting on Bill 167 as it is written, and as it is written, my particular point of view, my value system, who and what I am, the representation of my community, compel me to vote against it.

I began a train of thought a moment ago that I lost, and that was to those who have called my office and written, many of whom I suppose I identified with and in some respects still do identify with. I hate using terminologies that categorize people, but many from the evangelical community have sought to engage themselves in this debate in a way that I think does not lend support to the message they seek to bring to this debate and the message they seek to communicate to those of us who have the privilege of serving in this place, representing the people of this province and to some degree shaping the direction and the future and the legal framework within which we live in this province.

I hesitated. I thought about this. I took a long walk last night and wondered whether I would mention this, but, perhaps contrary to my better judgement, I will. A very significant leader of this country, who just a short while ago retired from national public office, said to me and one of my federal colleagues at one time, "You know, if the evangelical community is upset, we must be doing the right thing." It was a taunt to me, in a sense, and to my colleague, but I understand where he was coming from.

I would like to take this opportunity, without being presumptuous, to invite those of conviction, from whatever faith, those in the evangelical community and other faiths, to become part of the process, to sit at the table, so to speak, and get involved in political life on an

ongoing basis in this province; to put into our communities the values they so strongly and so passionately believe; not to react, not to be there after the fact, but to participate on an ongoing basis.

1700

It's an invitation that I say is perhaps presumptuous coming from me, but it seems to me that the role of those who share certain beliefs is to be involved on a day-to-day basis, to be in the marketplace, as it were, to be participating, to be interacting with people and not to react all the time after the fact. Quite frankly, that has been my experience since I have been elected over some six and a half years, that there is often a reaction to what takes place and not a participation up front in an ongoing process.

If one thing comes out of this, and there will be many things that come out of the debate on Bill 167, for me it would be an invitation for those who hold differing points of view to actively become involved in the process that we call politics. From time to time in this place people say, "You're playing politics." Well, that's what we're involved in. That's what democracy is about. It's about exchanging ideas. It's about sometimes passionate, heartfelt debate. I hope it's not in the future so much about reaction. I hope it's not so much about one interest group opposed to another interest group, but rather interest groups coming together and sorting out ideas, trying to build, trying to understand and trying to inject into our society the values that so many people feel have been eroded, whatever those values may be.

We have in many respects become a society and a democracy, a process, that responds to interest groups. I would hope we would begin to move away from that in many respects, that we'd become more inclusive in how we operate in this place and how we proceed with the legislative agenda. Accordingly, at the risk of being somewhat presumptuous, I would invite people to do that.

If politics is somewhat confusing, as some of my friends wrote in the editorial in my community paper, well, so be it. I suppose it is confusing. It's confusing for many of us who are here. But I believed on May 19 that in order for this issue, not to be resolved, because it is not resolved regardless of how the vote goes this afternoon, but for this issue to be dealt with, we needed to engage in this debate in this place. There has been, in point of fact, the debate that has taken place in the broader community. It has been, from time to time, taking place by picking out a line or a paragraph from a letter here or a paragraph from a letter there, or a phrase from a speech given in some place by some member and extrapolated to represent a whole point of view, to perhaps say that somebody doesn't support or does support a particular point of view.

When all is said and done, we have here an opportunity to fulfil our responsibilities. I am in many respects a simple person. I don't profess to have any particular great intelligence or the debating skills of some of my colleagues on this side of the House or the Premier, who just presented an outstanding presentation for the past half-hour or so. I am simply a person trying to do the best job I can. I work hard at my job. My job is both work and a

privilege, a privilege that has with it significant responsibility. I seek to discharge my responsibility today by voting against Bill 167 as it's written, because quite frankly I personally don't feel comfortable with it based on who and what I am and the value system that I feel should be, although it not always is, the benchmark of my conduct in my life.

Secondly, I want to re-emphasize the point that although some would say that if you have a narrow vision you can't see the whole picture, I hope all of us would back off and try to see the whole picture somewhat more than we have in the past, and that I would hopefully, faithfully and to the best of my ability represent the people of my community. I know, without fear of contradiction, that the vast majority of those people at this point in time cannot support Bill 167 as it is written.

Many of my colleagues want to speak today and I've taken a couple minutes more time than I had anticipated. I want to thank them for giving me the chance to be here today and to participate in this and to cast my vote. I hope that when all is said and done, we will perhaps try to heal some of the wounds that have been created here; that we will move from this place to build a province that can build from the strength that it now has to greater strength, not only economically and in all the other facets that we happen to work towards in this role that we call political life and the legislative process, but also in the fabric of our communities; the fabric of our families, however those families are defined; the fabric of our churches and the interaction of interest groups, and as a whole group of people seeking to make this place a better place for us to live and for our kids and our grandchildren to live, so that we can truly say that this is the finest place in all of the world to be, to be part of this place we call Ontario.

The Speaker (Hon David Warner): I thank the honourable member for Brampton North for his contribution to the debate and invite any questions and/or comments.

Mr Gary Wilson (Kingston and The Islands): Like my colleagues here in the House, we listened with great intensity to the words of the member for Brampton North. I think it's a reflection of the depth of his thinking that it took a while to figure out just where he was going to come down on Bill 167.

Of course, I was greatly disappointed to hear of his decision and a bit surprised, frankly, because he put a lot of emphasis on what it means to be a representative. In fact, I think even the difficulty he had in articulating his views shows that he's a bit unclear, as we all are, I think, on what exactly representation is. After all, we hear a lot of views from people, and it's not clear exactly what their views are, a lot of the time, and even how we then form our views.

But I have to say I think it's a very static kind of approach that he has to the question of values. We can show leadership here and actually mould values. How values are formed, after all, comes through influences. I think we have a much more dynamic role than he was letting on.

I thought too that his remarks about interest groups

were off the mark in that it sounded a bit paternalistic to me that he suggested just coming around a table will somehow solve all the differences of point of view, when in fact what we have to do is to be very upfront about where we stand.

The third thing is his views on Bill 167, where he says he's going to vote on what it is now. The fact is, I think it would be much more consistent with his first position to vote in favour of Bill 167 with the promise of amending it. He knows well it will go to committee, where these amendments can take place. If they don't take place, he has every opportunity at the third reading to vote against it. But to be consistent with the kind of dialogue that he seems to be favouring, we've got to get this passed at second reading so that it'll go into committee.

I think he's being very unfair in thinking that there haven't been changes promised to this, changes that would be consistent with his party's outlook, if not his own. He should be putting forward that we could get more debate on this so we can open it up to the community, so it can become more than a static kind of dialogue and we can show leadership.

As the Premier pointed out in his remarks, there's a history to this debate. We've come a long way and we've reached a point in this province, as polls have shown, that there's a lot of support for doing the things we're proposing in Bill 167, as it will be amended. It's no time now to turn back.

I say to you, member for Brampton North, it's time to make that step. You've done a great job up to this point. I think with just a little reflection, a little, shall we call it, backbone, you can do it. I plead with you to vote for Bill 167 now.

Ms Dianne Poole (Eglinton): I hadn't intended to speak again in this debate, because I've had my opportunity to put my views on the record. But I had to say that the member for Brampton North has put before us one of the most thoughtful and sensitive speeches.

He has tried to do something very few of us have tried to do, and that is to bridge the two groups so that there would be understanding. I haven't heard any of us, on either side of the House, make that call and that plea to try to understand what other people are saying, what they're doing.

1710

In disagreement with the member who just spoke, I will say to you that the member for Brampton North showed a hell of a lot of backbone. I apologize for my language, but I'm upset because I had made a very political piece of advice to all members of our caucus. I said, "Regardless of how we normally vote on first reading, in this case vote on first reading how you intend to end up." He said: "No, because this debate must be held. We must hear both sides. We must make an informed decision."

I say that takes courage, particularly when he knew many of his constituents would not stand behind him in that decision. So I appreciate how soul-searching this has been for all of us, but I think, for the member for Brampton North, he has shown that this place brings out

the best in us and the worst in us, and let us not forget that.

Hon Ruth Grier (Minister of Health): I have not participated in this debate, though I support very strongly the legislation the Attorney General has brought forward.

As I listened to the member for Brampton North sharing with us his twisting as he decided how to come to a conclusion on this—and I respected him for voting on first reading—I have to say that I was disappointed at the point at which he ended up, and particularly disappointed when he hides behind the fact that the vote today will be on the bill as it is written, and I've heard a number of his colleagues say that. He has been in this House long enough to know that is the way in which legislation proceeds.

Mr Charles Harnick (Willowdale): How you so polarized every constituent of this province by your mismanagement and the way you handled this issue.

The Speaker: The member for Willowdale is out of order.

Hon Mrs Grier: I hope the members opposite will concede a very genuine attempt on the part of our government to in fact address the issues and the requests and the concerns that were raised in this debate. As the Premier said in his such wonderful remarks to this Legislature, if the amendments are not to their liking at third reading, then they have the further opportunity to vote against it.

I say that particularly to those who were here in the debate on the amendment to the Human Rights Code, as I was, in 1986. I say it to the member for Brampton South, who in that debate said:

"...We are dealing with human beings. There are a large number of homosexuals and lesbians currently living in society in Ontario...."

"What do we do? Do we simply turn a blind eye to that fact and say that these people are nonentities and that they are not going to be given the liberties or protections provided under the Human Rights Code...?"

I say that's what we should be doing today by voting for second reading.

The member for Oriole in that debate said:

"Denying any minority group these basic human rights does not enhance our traditional moral societal values. It not only mocks those values, but also tarnishes all that we cherish in this land of freedom. Perhaps the day will come when other minority groups not currently listed will be identified."

Those were the values in 1986. I hope they show up later this afternoon.

Mr Tim Murphy (St George-St David): As one of the advocates in my caucus for Bill 167, which I've indicated I would vote for in its current form—I would vote for it, too, in its amended form—I do want to say that I think the member for Brampton North showed great courage in voting yes on first reading. I'm disappointed in the result he's come to, but I understand the process he went through. I think it showed great courage for him, and showed respect for the democratic process, that he

allowed the bill to at least have the debate, that he listened to that debate, that he used the debate to educate himself. I would wish he had come to a different result, but I understand that at least he had the courage and integrity to permit it to happen, and for that I thank him.

I do want to say that I also agree with him when he said this is an issue that won't go away. I hope and pray that this bill will not be defeated today. However, I am discouraged at what might happen. We are going to be forced to vote on this bill barely 24 hours after some proposed amendments are going to be made, giving members not even the time to consult with their constituents or advisers or community. That's unfortunate, but the government has made that decision.

I will again stand on second reading and vote in favour of Bill 167, the 167 I voted for on first reading, which I support. I would hope that the bill survives second reading to go to committee so we can see what amendments can be made. I would urge those who are voting no to reconsider, but I know that even if this battle is lost, through the efforts of this debate and through the efforts of the courts, the war will be won for equality for gays and lesbians.

The Speaker: The honourable member for Brampton North has up to two minutes for his reply.

Mr McClelland: Thank you, Mr Speaker, I appreciate that. I just want to say to the Minister of Health as she leaves that in point of fact—it may have sounded like I was twisting—I was trying to walk through, if you will, Madam Minister, as you leave—please feel free to do so—the process that I think most of us went through.

I arrived at my decision fairly conclusively and fairly quickly, upon review of the legislation and after considering the legislation and discussing it with a number of people, but ultimately searching within my own mind and heart in terms of how I felt about the legislation as it's written.

I want to thank those of my colleagues again who have expressed a measure of understanding. I say to my colleague the member from Kingston that I regret that he did not understand the invitation I was putting in terms of the interest groups and various organizations, whether they be church or parachurch or particular interest groups, to dialogue and to work on a continuing basis rather than on a reactive basis, which I think has been predominantly, not exclusively, the case.

That will certainly not solve all the problems that we will deal with. It won't even begin to do anything other than open up a healthy and complete and honest debate. That is the invitation that I extend once again and I hope the member for Kingston will understand that. I'm not naive enough to believe that sitting down in a room is going to solve all the problems, but it will certainly move us along the way.

Mr Speaker, again thank you for your indulgence and that of my colleagues in giving me an opportunity to speak today.

The Speaker: Is there further debate on this legislation?

Mr Bisson: I want to take a few minutes to put on the

record a little bit of my thoughts in regard to this legislation, but more than that I want to share with members and more importantly the constituents of Cochrane South the anthology in regard to my position on this particular legislation.

I would say to most people, just so they understand how I came to vote yes on first reading and would vote yes on second and third reading if we ever got that far, why I did so, because initially I opposed this legislation like most people in this House and like probably most people in my constituency initially.

Why? Probably because of the reason most people would be afraid of it, because it is the unknown. I'm a heterosexual. I don't understand the questions of gay rights. I don't understand the questions of what it is to be a homosexual or a lesbian. The unknown, I think, scares many of us. It's something that is just natural within human beings.

More particularly, as a politician—I'll be very honest with people and I'll be honest with the people in my riding—I was afraid that if I stood in this Legislature and I voted yes, that the wrath of my voters would be felt come some 12 or 14 months from now. That's a pretty big stick when it comes to one's position on this particular legislation.

But I thought, in order to be honest about this, that once a decision had been made—because I think people need to understand how this came to be. This didn't all of a sudden pop up two weeks ago where the government of Ontario decided all of a sudden that it was going to put forward a bill called Bill 167. Because of decisions in the courts, the Supreme Court of Canada, the Human Rights Commission, the government of Ontario has been told that we are discriminating against a certain sector of our population when it comes to gays and lesbians vis-à-vis benefits and other issues residing around the whole issue that we find in Bill 167.

The issue came back to my caucus on a number of occasions and as a caucus we had difficulty dealing with it, I would say like most people in this House on the opposition side, because I think they've only had to try to deal with it lately, and probably the difficulty that most constituents have. But eventually a decision was made by the majority, and I would say the vast majority, of this caucus. It wasn't a 50-50 thing, as it was purported. Clearly, 80% to 90% of the members of this caucus voted together that we had to go forward because it was fundamentally a human rights issue.

1720

At the point the decision was made to go ahead, and the majority of my caucus had decided to go ahead, I had to ask myself one question: I'm on the opposite side of the issue. Why? If a majority of the people I respect and a majority of the people I see as being good, decent human beings all of a sudden decide collectively that this is the right thing to do, maybe I should go back and revisit my position, because maybe there was a possibility I was wrong because of my phobias having to do with homosexuality, because of my phobias having to do with the whole question of what it is to be gay.

I didn't know how to do that. I quite frankly didn't know where to start, and it just scared me, to put it bluntly.

I went back to my constituency and sat down with some people I know in my riding association, sat down with one of my staff members and sat down with other people I know within the riding, and they said, "Probably the best thing you can do is to try to go out and seek out people in your community who are gay and talk to them about the issue to see how they feel."

I thought, well, Jeez, in the riding of Cochrane South, here's a community where mining and lumber is the mainstay of the economy. I'm not going to find a lot of gay people in communities like Timmins and Matheson and Iroquois Falls, because that only happens in Toronto. After all, everybody in northern Ontario is supposedly straight.

Well, was I surprised. I started finding out that in my community there are literally thousands of gay people. But what was more remarkable and really interesting is that these people were afraid of coming out of the closet and saying, "I am gay," because they were afraid of the repercussions they would get within their community.

What surprised me even more was that the people who were gay were not the people who were being described through this debate and the people who would be described through the generalities of how we see gay people. They were people like you and me. They were men and women of all classes in our society, from people who work in administrative positions of mining companies, lumber companies, administrations of various organizations, to working people: miners, construction workers, you name it. It was mind-boggling, because I had never dealt with it.

One of my co-workers at a former job, when I worked at the McIntyre mine in Timmins, said: "Don't you remember? There were two homosexual couples who worked with us for five years when we worked underground at the McIntyre." I'd forgotten.

I'd forgotten, because I had at one point started understanding it was no threat to me. That those two separate couples decided that was the way they wanted to live and that's how they found love within their relationship was no threat to me when I worked at the mine. Why should it be a threat now?

I started, quite reluctantly, trying to deal with this, because the next possible problem I had was, my God, if I'm wrong on this, how am I going to deal with my constituents? Supposedly, all my constituents are telling me that 90% of people are opposed to this, and that somehow if I vote in favour of this legislation, even though I was a wonderful member, according to them—giving me my plug for the next election—they would vote against me, solely on this issue.

I started to wonder: Now, hang on a second. People are telling me from the gay community there's discrimination. People in the straight community are telling me there's no discrimination. Yet when I, as the representative of the riding of Cochrane South, start musing about the possibility of voting yes, I'm being told, "You vote

yes, you're gone." That told me something. That told me there is discrimination.

The one thing I know as a social democrat, and I think the one thing we all know as politicians within this room, no matter what party we represent, is that the reason we are sent to the Legislature, and the responsibility we take once we come here, is to uphold the premise of what is found in our Constitution and to uphold the premise of what is found within the Charter of Rights and Freedoms: that at every opportunity we will fight against discrimination, and I think that's what this bill tries to do.

It's been a fairly difficult road for me because of the history I have. I come from workplaces where it was 99.9% male, working in mines and working in the bush, where I thought this kind of stuff didn't happen, to the point where I am now, starting to understand that it's not a question that people all of a sudden choose to go out and live a homosexual or lesbian lifestyle, it's a question that they are, and they're a lot larger majority than we would think.

I decided in the end that the only thing I could do, the only responsible thing I could do, was to vote yes. So when we came into the House a couple of weeks ago, I stood in my place and I voted yes and went back to my riding.

I expected that the minute I got off the plane back in the riding of Cochrane South, everybody would be running up to me and saying, "Gilles, what have you done?" But it was surprising. A lot of people in my community were coming and saying: "It takes courage to do what you did. I don't understand it, but it seems like the right thing to do." As people started to understand, like me, what the issue was all about, they started understanding that it didn't only seem like the right thing to do but it was the right thing to do. Many of the people who were calling my constituency office two and three weeks before, expressing displeasure against the legislation, the legislation as it was at that time, as they learned more about the issue were calling back and saying, "Yes, it is the right thing to do."

We need to recognize this issue for what it is. We have to search within our own hearts, because it is a personal issue, but we need to understand what our responsibility as legislators is. Our responsibility is to uphold the Constitution of Canada and to uphold the Charter of Rights. We swore to that when we were elected to this place. We were marched into the Clerk's office and we were asked to swear to our Constitution. If we believe in parliamentary democracy, we have no choice. It becomes strictly a question that we have to do this.

In closing, I would say a couple of things to some of the members who don't feel it in their hearts to vote for this legislation, and I say this to some of my own colleagues. Yes, it is a difficult thing to do to stand and say yes. Yes, possibly people in your own ridings may give you a hard time. But don't allow your difficulties in dealing with this issue hold up the rights of other people, because as legislators and social democrats we should never do that. We have to have courage and we have to have the fortitude to go forward and say to people in this province, "We have a Constitution and in that Constitu-

tion there is a charter. It invokes rights, and the people in this province are entitled to those rights."

Some people will say: "The legislation wasn't well done. It should have been done this way; it should have been done that way." Quite frankly, those are just excuses. It doesn't matter how you do this; you would have got that criticism. Either you is for it or you is against it. It is as simple as that.

I ask members in this House to reflect. If they truly believe in the democracy we believe in, allow this vote to pass second reading. Allow the bill to get to committee so we can place the amendments so we can move on with it, because the people in my riding have told me one thing through this whole debate: "Gilles, if the government is willing to amend the question of adoption and amend the definition of 'spouse,' I'm with it. I'll support this hands down."

That is what the government has done, so there's no reason at this point, in my view, to vote no, other than what my reason was at the outset, which was, "I'm afraid to do it." Let's have some courage, let's stand in our place and let's do what is right. Let's do what we are charged with doing, upholding the charter of this country, and vote yes.

The Speaker: I thank the honourable member for Cochrane South for his contribution to the debate and invite any questions and/or comments.

Mr Steven Offer (Mississauga North): I'm going to use the opportunity to put a few of my thoughts on the record. To begin, I fundamentally disagree with the member for Cochrane South, who has said in some convoluted sense that those who oppose this legislation are, in his opinion, contravening the Charter of Rights and the Constitution.

Second, I disagree with the member who says that those who vote against this legislation are in some way portraying an effrontery to the democratic process. I think it is absolutely necessary that we recognize that what we have before us is a free vote on a bill that has been the subject of intense debate, not only in this Legislature but indeed in heated discussion throughout our community.

At the outset, let me indicate that I am going to be voting against this bill on second reading, as I did on first reading. However, I'd like to take a moment to certainly acknowledge the many hundreds of letters, telephone calls, faxes and petitions that I received on both sides of this issue throughout my community. I certainly do acknowledge and appreciate the effort that has been taken by many people, not only in my community but I believe throughout all communities, sharing their thoughts on this particular matter.

1730

I recognize that as there are people who are in favour of this legislation, there are those who are opposed to this legislation. I recognize that. There have been a number of reasons put forward on both sides of the issue. In the end, it is a personal vote, a free vote. In the end, it is us, as legislators, saying what we feel. For that, after listening to all of those who have shared their thoughts with me, I will be voting against this legislation.

Mr Larry O'Connor (Durham-York): I wanted to comment on the points my colleague from Cochrane South made. He made some very good points, and while he was making them, I recalled some of my own thoughts as we were going through this process. I think his description of what was going on in caucus is pretty accurate.

I had a letter sent to me and the letter said:

"Do you know what it is like to be a societal leper? Do you know what it's like when the public treats families of gays and lesbians.... Do you know what it's like as the parent of a homosexual man?"

"The Legislature has the opportunity to recognize my family, one that consists of a mom and dad, of a homosexual son and a heterosexual daughter. I am proud to be part of my family. I am proud to be the mother of Stephen and Linda, even though the Legislature finds it necessary to debate whether my family is worthy of God's love, respect and its rights.

"I challenge any of you to tell my neighbours in Uxbridge to confront me to my face and to tell me that my family is not worthy of enjoying the rights of other Ontario constituents."

It reflects what my colleague from Cochrane South has said, because the fact is that it is a difficult issue. When it showed up on the front page of the Uxbridge paper that "MPP Votes in Support of Same-Sex Bill," people told me, "That's it, game over." That's not what it's about; it's about doing what's right and speaking on behalf of our constituents, like the one who sent me this letter, and that's what I think he has done by doing what he has done here.

Mr Dalton McGuinty (Ottawa South): I want to take a moment, since I won't have another opportunity to speak to this issue, to tell you about some of my experience in my riding.

I guess at the outset I want to lament what I feel is the greatest casualty which has resulted from this debate, particularly in the way it has been mismanaged, and that is the cause of understanding of each group by the other. The way the debate has developed and escalated has led to extreme positions taken by either side.

In my riding, when I receive telephone calls from my gay constituents, and we all surely do have them, I am branded a bigot or an intellectual Neanderthal when I raise the obligation that I have to ensure that the rest of my riding is brought along with us in a gradual way and one in which they can have some feeling of comfort.

When I deal with my heterosexuals who call me, I am told that I must be a closet homosexual, or they ask whether I'm married and truly have four children. That again is a reflection of the extremism with which this debate has unfortunately been visited. I remind that group that we have an obligation here in this House not to do anything which is either explicit or implicit in terms of sending out a signal that somehow our gay constituents are less than the rest of us.

My concern is that the debate has become so polarized that I have been unable to get my constituents to speak to each other, to gain some understanding of each other.

When my children fight at home, at the end of the fight I try to make them shake hands. When they've had a particularly boisterous scuffle, I can't do that, and for a long time, which in kids' time is about 15 minutes to a half-hour, they won't shake hands. And I can't get my heterosexuals and my gay community today to shake hands.

Ms Jenny Carter (Peterborough): I feel emotional about this issue too. As the Premier said, people are who they are, and whichever way this vote goes, they will continue to be who they are, whether we approve of that or not. Don't we believe that it's better for people to live in a loving relationship than in isolation? If we vote against this bill, we're voting to break up families, to put people back into isolation. These relationships exist already. All we're doing if we deny this bill is to continue to disadvantage them. Let's stop putting barriers in the way of people who want to form loving relationships. These families exist already.

When we're talking about adoption, we're not talking about creating families; we're talking about preserving families that exist already. In many cases, one of those people is the natural parent.

Since my own beliefs have become known, I have begun to hear, in addition to opposition, the other voice, of those who were maybe afraid to make themselves known before, and it's quite amazing what is happening in that direction.

There are times when you have to vote your conscience, just as there are times when you have to disobey orders. I think the events commemorating D-Day and reminding us of the Second World War should maybe encourage us to think a little bit along those lines.

What does the granting of rights to gays take away from anybody else? The opponents are just foisting their values upon other people. It does not affect them.

I believe this is a human rights issue and I shall certainly be voting for the bill.

The Speaker: The honourable member for Cochrane South has up to two minutes for his reply.

Mr Bisson: I would like to thank the members for making comments on my comments. I only wish that I would have longer, because there are a couple of things that I want to put on the record and unfortunately don't have the time to do.

I just want to leave the members with these two thoughts in the end. There are two recurring themes in why people vote no. One is that they want to do what the majority in their riding want them to do. I just say, as politicians, we also have a responsibility of leadership. If we were to hold true what people say when it comes to only doing what the majority want in the ridings, we would never have done the health program that we have today under OHIP, we would never have done any of the progressive things that we take as the definition of Canada today, because when we set out to do some of those things in the past, such as OHIP, such as civil rights, such as employment equity, such as all the equity issues, we probably wouldn't have them today. It happened because politicians took the leadership. Eventually,

it's what defines us as Canadians and what sets us out from the rest of the other people in the world.

The other thing I wanted to mention, and I didn't get a chance in my speech, was that one of the members said, "I don't want to vote in favour of it because I don't feel comfortable voting in favour, because this goes against what I am." Again, I remind people, there's a whole bunch of people—if we were to utilize that argument, my God, the civil rights movement and the rest of it, I don't want to make the analogies, but a lot of people were fairly challenged about doing some pretty progressive things in the past, and if we had held true to that thought, we wouldn't have done them.

I offer members a compromise. If we're worried about standing up and voting in favour of this bill, the compromise is, let's do a voice vote and in the end allow this thing to go to committee by voice vote. You can hide in the majority of this House without anybody ever knowing how you would have voted at second reading. Allow this thing to go to second reading so that we can at least put the motions forward, so that we can at least get it into committee, and then bring it back after that at third reading and decide what to do. So I ask you: Please, let's try to do it by voice vote. We'll all be okay in the end.

Mr Alvin Curling (Scarborough North): I know there's an agreement that we end at 5:45 and my comments that I had to make would have extended beyond that time, but I just want to take this opportunity to put a few comments on the record about my feeling about this extremely important bill.

This afternoon, I heard many emotions being expressed on this type of legislation. Over the last week or so, many people have come into my constituency office and also my office here, lesbians and gays, heterosexuals, who have expressed their concern about this legislation, Bill 167. But they themselves were as moved as my colleagues in the House about the concerns about their rights.

There are no other concerns that parliamentarians can deal with that are so important as human rights issues. I don't have any corner on human rights issues or the solutions. As a matter of fact, we have seen around the world how difficult it is for justice to be done to people who have been denied their human rights.

1740

We know very well that the gays and lesbians have been abused in many respects, misunderstood, and also that in many ways people have not had an opportunity to express their views, and we talk about going into the closet. We've also known that the heterosexual side of it does not understand either. We have a responsibility on all sides to make all those groups understand that kind of frustration and emotion they go through. My colleagues previously have spoken about how the traditional way of the family has been growing apart, and now that we've introduced a new system of life for acceptance, we need that kind of education. Because once upon a time I feel human rights issues could have easily been achieved by legislating laws, very rigid laws, and having people follow them. Also too I at one stage really believed that if we publicly demonstrate our concerns and flush out the

bigots and the sexists and all those people, the homophobics, that somehow it will correct the force.

Sometimes I feel too, as I hear the Premier speak here, and some others spoke about leadership, that we must get out in the front and go forward. But many a time when we charge on those efforts and say, "Charge! Let's change those things," when we look behind us, there is nobody behind us. We cannot make changes in isolation. We have to bring the people along. We have to make sure they understand the issue, that when laws are made, or anything at all, we should somehow demonstrate that people understand the issue.

A good example, of course, is South Africa, as we saw it. Even when we knew that human rights have been violated in that country for over 30 years with the apartheid situation—

Interjection.

Mr Curling: I would like the member herself to give me the kind of respect to give my view as I gave her leader, to say that even Mandela, who was in prison for years, and even de Klerk, who himself had held certain views, and Buthelezi, who held another view, that at the time when we came together to resolve those issues, we realized that all people have to be on side, and compromise was made even when the election was called, that people have to bring everyone in force, and the manner in which this was handled.

As a matter of fact, it's not only a human rights issue that is at stake here. It's how we handle those issues. I had explained to my constituency that Bill 167 is the way to go, and they responded in that way.

The Attorney General called me yesterday. She was of course concerned about how the progress was going, and I expressed my concern too in the short time we had in which to change it. I felt I was cornered in a way when I heard the announcement half an hour after she spoke to me that she intended to make some changes. I had no time in which to communicate to my constituency. We've got to bring them on side.

So I'll be voting against this Bill 167, because that is what I put before the people. I believe in human rights and will continue to advocate the struggles of the gays and the lesbians and what they're fighting for. It's not the end.

The Speaker: I thank the honourable member for Scarborough North for his contribution to the debate and invite any questions and/or comments.

Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs): I did not intend to speak in this debate, but I will say very briefly two things. I must say how disappointed I am that a member, whatever his or her position in this House, would call upon the name of Nelson Mandela to justify a vote against advancing human rights in this province.

I would say I don't intend to be partisan at all here. I would say that as a person who has taken a position clearly over the years, I respect the way that members on all sides of this question have struggled with the issue. I believe that all of us must look to ourselves and to our

inner feelings and views as well as listening to our constituents.

But I would say wholeheartedly that there never has been a case that I know of in human history where minorities' rights have been advanced by so-called leaders who have said, "We must have the majority in favour before we move." I have never understood any situation like this where a group has been oppressed, discriminated against, where that was recognized, but a person who dared call himself a leader would say, "I recognize the unfairness, the discrimination, but I can't act because the majority does not agree with me." We must all act on the basis of what we believe to be right, not what we believe to be expedient.

Mr Steven W. Mahoney (Mississauga West): What some of us who are opposed to this bill find difficult to accept is the lecturing that seems to go on, that if you're opposed to the bill, you're somehow opposed to democracy, that if you're opposed—you take a comment about this member's remarks when it was the Attorney General who first raised the spectre of South Africa having something to do with this vote. It was not this member; it was the sponsor of this legislation. I just have had it up to here with being called a racist or a bigot because I cannot accept the fact that a spouse is a member of the same sex. That is my right; indeed, my responsibility. I can handle it full well, Mr Minister, without a problem. I just don't agree with it.

I think I have a right, I indeed have an obligation on the part of the people who I represent and on the part of my family to speak from my heart and speak my mind on this issue. I reject any attempt by members of this government to try to muzzle people or try to intimidate us and try to paint this as some kind of a human rights issue. I don't see it in that light. I have a right not to see it in that light if that is my choice and that is my view.

Hon Mr Wildman: That is what Alvin said.

Mr Mahoney: I'm talking about what the minister said, not what Alvin said.

For some this is a difficult issue, and I respect that. I respect the different views in this place and I particularly respect the democratic right of members in this place to disagree and to disagree for whatever reason. I simply ask that you respect my right to disagree and my right to vote against this bill.

Mr Malkowski: I'm pleased to participate in questions and/or comments and wish to respond to the member for Scarborough North. Just for your information, the new South African constitution does recognize the rights of gays and lesbians and Nelson Mandela has clearly supported that struggle. That's a first step for that country.

The history of the votes on human rights and legislation: I don't know; in your party you seem to be turning them down. This is an opportunity and a challenge to us to speak out. I always thought you spoke for human rights and I always thought you would have an opportunity here to demonstrate that commitment. Obviously, I'm wrong: You don't.

You're voting against this. You voted against the OLRA. You voted against the Advocacy Act. You have

voted against every bit of progressive legislation we have introduced and, once again, here you go, you're voting against progressive legislation. Why are you voting against same-sex legislation? This is a human rights issue. Once again you vote against. I'm asking you and I'm challenging you to please reconsider how you vote. Show your reputation. You have a shining reputation. Show it. 1750

The Speaker: Further questions or comment? The honourable member for Scarborough North has up to two minutes for his reply.

Mr Curling: I have my own life to live and I have my own experience in which I've gone through life. I mirror people who have fought for human rights and I try to understand it the best way I can. If you understand it your way, that's your privilege. I have a right to look at Mandela, to look at Martin Luther King, to look at all the leaders who fought for human rights. I don't need you to tell me what I should do.

I heard your leader speak, he spoke very eloquently, and I heard members in my caucus here who spoke for this bill, spoke very well, very convincingly. I listened to the people of my constituency. I was elected on that kind of basis and I will not cringe in any way from my responsibility, but I also have a life which I have lived. The contradiction of my colleague there, who tells me I have a shining reputation, and in the meantime, telling me that I have voted against anything progressive, the hypocrisy in the way that these things are expressed sometimes in this House sometimes moves me in a way to say let us be consistent.

I see changes in human rights in a certain way. If you see changes in that way, that is your responsibility to express it that way. Today, we know it's a very difficult thing. I say again it's a human rights issue and as we play the politics about this game, as we continue to politicize it in a manner, we will lose how we can advance the issue of human rights.

Yes, I voted against the kind of bill that you do for employment equity because even today, after three and a half years, it is still not legislation here, because how can I trust a government that cannot even introduce that after three and a half years? And in one week you want to advance this cause and ask me to understand it fully and tell me not to mirror what I feel this strongly about this legislation.

The Speaker: The member's time has expired.

Mr Curling: I am voting against this legislation.

The Speaker: Is there further debate? Seeing none, the Attorney General has an opportunity to conclude the debate.

Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues): I'm very pleased to have an opportunity to conclude the debate and I want to thank all those who have spoken on this bill. It is a difficult issue and we have heard this afternoon and in previous debate the kinds of personal struggles that people have had coming to their decisions. I, for one, respect that those struggles have taken people in different directions and know that it has not been an easy task and

hope that people, in voting according to their conscience, will remember those on whose behalf they have a right to speak this afternoon.

I need to answer very briefly the kinds of challenges that the opposition party has made on the issue of the amendments and the kind of charge that they have made about mismanagement of this issue. Quite frankly, we reject those charges. We, as a party, supported the member for St George-St David when he brought forward Bill 45 because we knew we were not at that point ready to bring forward a bill of our own and we knew it was time for this Legislature to enter into that debate. We supported that bill and we supported that bill coming before committee. We did everything we could to bring that bill to committee and we were stymied by the decision of the opposition House leaders not to bring that bill forward.

We wanted the discussion. We wanted the communities that were concerned, both pro and con, to have an opportunity to express to us as legislators what they believed to be the rights and wrongs of this issue, and it was extremely important that that debate go on, and it was frustrated.

It was a difficult struggle for us; that's why we appreciate the struggle for members of other parties. When we finally were in a position to bring legislation forward ourselves after canvassing all the options that we could think of within the meaning of the charter and brought forward our legislation, it was almost frustrated again. There were those who did not want this debated at all, did not want to be on the record, and we saw a very close vote.

I would say to you, Mr Speaker, that the issue this afternoon is for people to vote at second reading, knowing that amendments are going to come forward, and allow the concerned communities to present their views to us. This is not the last chance that people have to vote on this issue. There is a third reading and there will be an opportunity for those who are not satisfied by the solutions that are reached to take a conclusion at that point. But to take the decision now that they will not allow the communities to speak is a very serious decision.

I would urge all my colleagues in the House to recognize the right of our constituents to appear before us in committee, to express their views and for us to make our judgements at that point in time. I urge my fellow members of this Legislature to vote yes on Bill 167.

The Speaker: Mrs Boyd has moved second reading of Bill 167. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members; a 30-minute bell.

The division bells rang from 1756 to 1826.

The Speaker: Would all members please take their seats. Before commencing the voting procedure, I would remind our visitors that they are most welcome here, but no form of demonstration or applause is permitted. I would ask that you respect that.

All those in favour of the motion will please rise one by one.

Ayes

Akande, Allen, Bisson, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooke, Coppen, Dadamo, Duignan, Fletcher, Frankford, Gigantes, Grier, Haecck, Hampton, Harrington, Haslam, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Kormos, Lankin, Laughren, Lessard, Mackenzie;

MacKinnon, Malkowski, Marchese, Martel, Martin, Mathysen, Morrow, Murdock (Sudbury), Murphy, O'Connor, Owens, Philip (Etobicoke-Rexdale), Poirier, Poole, Pouliot, Rae, Silipo, Sutherland, Swarbrick, Ward, Wark-Martyn, Wessenger, Wildman, Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziemba.

The Speaker: All those opposed to Mrs Boyd's motion will please rise one by one.

Nays

Abel, Arnott, Beer, Bradley, Brown, Callahan, Caplan, Carr, Chiarelli, Cleary, Conway, Cooper, Cordiano, Cousens, Crozier, Cunningham, Curling, Daigeler, Eddy, Elston, Eves, Farnan, Fawcett, Grandmaitre, Hansen, Harnick, Harris, Hayes, Henderson, Hodgson, Jackson, Johnson (Don Mills), Jordan, Kwinter, Mahoney, Mammoliti, Marland, McClelland, McGuinty, McLean, McLeod;

Miclash, Mills, Morin, Murdoch (Grey-Owen Sound), North, Offer, O'Neil (Quinte), O'Neill (Ottawa-Rideau), Perruzza, Phillips (Scarborough-Agincourt), Pilkey, Ramsay, Rizzo, Runciman, Ruprecht, Sola, Sorbara, Sterling, Stockwell, Sullivan, Tilson, Turnbull, Villeneuve, Waters, Wilson (Frontenac-Addington), Wilson (Simcoe West), Witmer.

The Speaker: The ayes are 59; the nays are 68. I declare the motion lost.

The House adjourned at 1830.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD
Speaker/Président: Hon/L'hon David Warner
Clerk/Greffier: Claude L. DesRosiers
Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux: Alex D. McFedries
Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités: Deborah Deller
Sergeant at Arms/Sergent d'armes: Thomas Stelling

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma	Wildman, Hon/L'hon Bud (ND) Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Énergie, ministre délégué aux Affaires autochtones	Grey-Owen Sound Guelph Halton Centre/-Centre Halton North/-Nord Hamilton Centre/-Centre	Murdoch, Bill (PC) Fletcher, Derek (ND) Sullivan, Barbara (L) Duignan, Noel (ND) Christopherson, Hon/ L'hon David (ND) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Algoma-Manitoulin Beaches-Woodbine	Brown, Michael A. (L) Lankin, Hon/L'hon Frances (ND) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce		Mackenzie, Hon/L'hon Bob (ND) Minister of Labour / ministre du Travail
Brampton North/-Nord Brampton South/-Sud Brant-Haldimand Brantford	McClelland, Carman (L) Callahan, Robert V. (L) Eddy, Ron (L) Ward, Hon/L'hon Brad (ND) Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances	Hamilton East/-Est Hamilton Mountain	Charlton, Hon/L'hon Brian A. (ND) Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et ministre délégué à l'Assurance-automobile
Bruce Burlington South/-Sud Cambridge	Elston, Murray J. (L) Jackson, Cameron (PC) Farnan, Hon/L'hon Mike (ND) Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation	Hamilton West/-Ouest	Allen, Hon/L'hon Richard (ND) Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce
Carleton Carleton East/-Est Chatham-Kent Cochrane North/-Nord Cochrane South/-Sud Cornwall Don Mills Dovercourt	Sterling, Norman W. (PC) Morin, Gilles E. (L) Hope, Randy R. (ND) Wood, Len (ND) Bisson, Gilles (ND) Cleary, John C. (L) Johnson, David (PC) Silipo, Hon/L'hon Tony (ND) Minister of Community and Social Services / ministre des Services sociaux et communautaires	Hastings-Peterborough High Park-Swansea	Buchanan, Hon/L'hon Elmer (ND) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales Ziemba, Hon/L'hon Elaine (ND) Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Downsview Dufferin-Peel Durham Centre/-Centre Durham East/-Est Durham West/-Ouest Durham-York Eglington Elgin Essex-Kent Essex South/-Sud Etobicoke-Humber Etobicoke-Lakeshore	Perruzza, Anthony (ND) Tilson, David (PC) White, Drummond (ND) Mills, Gordon (ND) Wiseman, Jim (ND) O'Connor, Larry (ND) Poole, Dianne (L) North, Peter (Ind) Hayes, Pat (ND) Crozier, Bruce (L) Henderson, D. James (L) Grier, Hon/L'hon Ruth (ND) Minister of Health / ministre de la Santé	Huron Kenora Kingston and The Islands / Kingston et Les îles Kitchener Kitchener-Wilmot Lake Nipigon/Lac-Nipigon	Klopp, Paul (ND) Miclash, Frank (L) Wilson, Gary (ND) Ferguson, Will (Ind) Cooper, Mike (ND) Pouliot, Hon/L'hon Gilles (ND) Minister of Transportation, minister responsible for francophone affairs / ministre des Transports, ministre délégué aux Affaires francophones
Etobicoke-Rexdale	Philip, Hon/L'hon Ed (ND) Minister of Municipal Affairs, minister responsible for the office for the greater Toronto area / ministre des Affaires municipales, ministre responsable du Bureau de la région du grand Toronto	Lambton Lanark-Renfrew Lawrence Leeds-Grenville Lincoln London Centre/-Centre	MacKinnon, Ellen (ND) Jordan, Leo (PC) Cordiano, Joseph (L) Runciman, Robert W. (PC) Hansen, Ron (ND) Boyd, Hon/L'hon Marion (ND) Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
Etobicoke West/-Ouest Fort William	Stockwell, Chris (PC) McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition	London North/-Nord London South/-Sud Markham	Cunningham, Dianne (PC) Winningem, David (ND) Cousens, W. Donald (PC)
Fort York Frontenac-Addington	Marchese, Rosario (ND) Wilson, Hon/L'hon Fred (ND) Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement	Middlesex Mississauga East/-Est Mississauga North/-Nord Mississauga South/-Sud	Mathysen, Irene (ND) Sola, John (Ind) Offer, Steven (L) Marland, Margaret (PC)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga West/-Ouest	Mahoney, Steven W. (L)	St Andrew-St Patrick	Akande, Zanana L. (ND)
Muskoka-Georgian Bay	Waters, Daniel (ND)	St Catharines	Bradley, James J. (L)
Nepean	Daigeler, Hans (L)	St Catharines-Brock	Haeck, Christel (ND)
Niagara Falls	Harrington, Margaret H. (ND)	St George-St David	Murphy, Tim (L)
Niagara South/-Sud	Coppen, Hon/L'hon Shirley (ND) Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs	Sarnia	Huget, Bob (ND)
		Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony (ND)
Nickel Belt	Laughren, Hon/L'hon Floyd (ND) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Scarborough-Agincourt	Phillips, Gerry (L)
Nipissing	Harris, Michael D. (PC)	Scarborough Centre/-Centre	Owens, Stephen (ND)
Norfolk	Jamison, Norm (ND)	Scarborough East/-Est	Frankford, Robert (ND)
Northumberland	Fawcett, Joan M. (L)	Scarborough-Eillemere	Warner, Hon/L'hon David (ND) Speaker / Président
Oakville South/-Sud	Carr, Gary (PC)	Scarborough North/-Nord	Curling, Alvin (L)
Oakwood	Rizzo, Tony (ND)	Scarborough West/-Ouest	Swarbrick, Hon/L'hon Anne (ND) Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Orléans	Caplan, Elinor (L)	Simcoe Centre/-Centre	Wessinger, Paul (ND)
Oshawa	Pilkey, Hon/L'hon Allan (ND) Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales	Simcoe East/-Est	McLean, Allan K. (PC)
Ottawa Centre/-Centre	Gigantes, Hon/L'hon Evelyn (ND) Minister of Housing / ministre du Logement	Simcoe West/-Ouest	Wilson, Jim (PC)
Ottawa East/-Est	Grandmaître, Bernard (L)	Sudbury	Murdoch, Sharon (ND)
Ottawa-Rideau	O'Neill, Yvonne (L)	Sudbury East/-Est	Martel, Hon/L'hon Shelley (ND) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Ottawa South/-Sud	McGuinty, Dalton (L)	Timiskaming	Ramsay, David (L)
Ottawa West/-Ouest	Chiarelli, Robert (L)	Victoria-Haliburton	Hodgson, Chris (PC)
Oxford	Sutherland, Kimble (ND)	Waterloo North/-Nord	Witmer, Elizabeth (PC)
Parkdale	Ruprecht, Tony (L)	Welland-Thorold	Kormos, Peter (ND)
Parry Sound	Eves, Ernie L. (PC)	Wellington	Arnott, Ted (PC)
Perth	Haslam, Karen (ND)	Wentworth East/-Est	Morrow, Mark (ND)
Peterborough	Carter, Jenny (ND)	Wentworth North/-Nord	Abel, Donald (ND)
Port Arthur	Wark-Martyn, Hon/L'hon Shelley (ND) Minister without Portfolio, Ministry of Health / ministre sans portefeuille, ministère de la Santé	Willowdale	Harnick, Charles (PC)
	Poirier, Jean (L)	Wilson Heights	Kwinter, Monte (L)
Prescott and Russell / Prescott et Russell		Windsor-Riverside	Cooke, Hon/L'hon David S. (ND) Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main-d'œuvre
Prince Edward-Lennox-South Hastings/Lennox-Sud	Johnson, Paul R. (ND)	Windsor-Sandwich	Dadamo, George (ND)
Quinte	O'Neill, Hugh (L)	Windsor-Walkerville	Lessard, Wayne (ND)
Rainy River	Hampton, Hon/L'hon Howard (ND) Minister of Natural Resources / ministre des Richesses naturelles	York Centre/-Centre	Sorbara, Gregory S. (L)
Renfrew North/-Nord	Conway, Sean G. (L)	York East/-Est	Malkowski, Gary (ND)
Riverdale	Churley, Hon/L'hon Marilyn (ND) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	York Mills	Turnbull, David (PC)
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Noble (PC)	York-Mackenzie	Beer, Charles (L)
		York South/-Sud	Rae, Hon/L'hon Bob (ND) Premier, President of the Executive Council, Minister of Inter-governmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
		Yorkview	Mammoliti, George (ND)

TABLE DES MATIÈRES

Jeudi 9 juin 1994

AFFAIRES D'INTÉRÊT PUBLIC	
ÉMANANT DES DÉPUTÉS	
Éducateurs de jeunes enfants .	6764
M. Poirier	6771

DEUXIÈME LECTURE	
Loi de 1994 modifiant des lois en ce	
qui concerne les droits à l'égalité,	
projet de loi 167, <i>M^{me} Boyd</i> . .	6791
M. Poirier	6792, 6795
M. Bisson	6794
M. Grandmaitre	6794
M. Rae	6798
Rejetée	6810

CONTENTS

Thursday 9 June 1994

PRIVATE MEMBERS' PUBLIC BUSINESS

Greenhouse gas emissions, private member's notice of motion number 44, <i>Ms Carter</i>	
<i>Ms Carter</i>	6757, 6763
<i>Mr Offer</i>	6758
<i>Mr McLean</i>	6759
<i>Ms Haeck</i>	6760
<i>Mr Tilson</i>	6761
<i>Mr Winninger</i>	6762
<i>Mr Bradley</i>	6763
Agreed to	6772
Early childhood educators, private member's notice of motion number 43, <i>Mr Beer</i>	
<i>Mr Beer</i>	6764, 6772
<i>Mr McLean</i>	6766
<i>Mr Hope</i>	6766
<i>Ms Poole</i>	6767
<i>Mr Jackson</i>	6768
<i>Mr Martin</i>	6770
<i>Mr Poirier</i>	6771
<i>Mr Duignan</i>	6772
Agreed to	6772

MEMBERS' STATEMENTS

Kidney dialysis	
<i>Mr McIlash</i>	6772
Victims of crime	
<i>Mr Jackson</i>	6773
Fred Pargeter	
<i>Mr Hansen</i>	6773
Veterans' housing	
<i>Mr Kwinter</i>	6773
Thomas R. Moore	
<i>Mrs Cunningham</i>	6774
Ethnocultural Council of London	
<i>Mr Winninger</i>	6774
Care of Alzheimer patients	
<i>Mr Bradley</i>	6774
Optimist Club anniversary	
<i>Mr Tilson</i>	6774
Northland Power project	
<i>Mr Bisson</i>	6775

STATEMENTS BY THE MINISTRY

AND RESPONSES

Capital funding for schools	
<i>Mr Cooke</i>	6775
<i>Mr Beer</i>	6776
<i>Mr Phillips</i>	6776
<i>Mrs Cunningham</i>	6777

ORAL QUESTIONS

Medical laboratories	
<i>Mrs McLeod</i>	6779
<i>Mrs Grier</i>	6779
Youth employment	
<i>Mrs McLeod</i>	6780
<i>Mr Mackenzie</i>	6780

Ministry of Agriculture, Food and

Rural Affairs	
<i>Mr Villeneuve</i>	6780
<i>Mr Buchanan</i>	6780
Metropolitan Toronto Housing Authority	
<i>Mr Stockwell</i>	6781
<i>Mr Philip</i>	6781
Corporation filing program	
<i>Mrs McLeod</i>	6782
<i>Ms Churley</i>	6782
Municipal planning	
<i>Mr McLean</i>	6783
<i>Mr Philip</i>	6783
Commodity loan program	
<i>Mrs Mathysen</i>	6784
<i>Mr Buchanan</i>	6784
Insurance tax	
<i>Mr Offer</i>	6784
<i>Mr Philip</i>	6784
Trucking industry	
<i>Mr Turnbull</i>	6784
<i>Mr Pouliot</i>	6785
Day care	
<i>Ms Harrington</i>	6785
<i>Mr Silipo</i>	6785
Pension legislation	
<i>Mr Phillips</i>	6786
<i>Mr Charlton</i>	6786
Non-profit housing	
<i>Mrs Marland</i>	6786
<i>Ms Gigantes</i>	6787
Police services	
<i>Mrs MacKinnon</i>	6787
<i>Mr Christopherson</i>	6787

PETITIONS

Sexual orientation	
<i>Mr O'Neil</i>	6788
<i>Mr Henderson</i>	6789
<i>Mrs Marland</i>	6789
<i>Mr Cooper</i>	6789
<i>Mr Jordan</i>	6790
<i>Mrs Mathysen</i>	6790
<i>Mr Tilson</i>	6790
Firearms safety	
<i>Mr Murdoch</i>	6788
Charitable gambling	
<i>Mr Mills</i>	6788
Tobacco packaging	
<i>Mr Eddy</i>	6788
Junior kindergarten	
<i>Mr Arnott</i>	6789
School facilities	
<i>Mr Owens</i>	6789
Gambling	
<i>Mr Brown</i>	6789
Nursing staff	
<i>Mr Crozier</i>	6790

REPORTS BY COMMITTEES

Standing committee on regulations and private bills, <i>Ms Haeck</i>	
<i>Ms Haeck</i>	6791
Reports presented	6791

FIRST READINGS

Heritage Baptist College and Heritage Theological Seminary Act, 1994, Bill Pr60, <i>Mr Winninger</i>	
<i>Mr Winninger</i>	6791
Agreed to	6791
Town of Orangeville Act, 1994, Bill Pr119, <i>Mr Tilson</i>	
<i>Mr Tilson</i>	6791
Agreed to	6791

SECOND READINGS

Equality Rights Statute Law Amendment Act, 1994, Bill 167, <i>Mrs Boyd</i>	
<i>Mr Winninger</i>	6791
<i>Mr Duignan</i>	6792
<i>Mr Poirier</i>	6792, 6795
<i>Mr Bisson</i>	6794, 6804, 6807
<i>Mr Grandmaitre</i>	6794
<i>Mr Malkowski</i>	6794, 6808
<i>Mr Sola</i>	6795
<i>Mr Rae</i>	6795, 6800
<i>Mr Callahan</i>	6799
<i>Mrs Mathysen</i>	6799
<i>Mr Sorbara</i>	6799
<i>Ms Churley</i>	6799
<i>Mr McClelland</i>	6800, 6804
<i>Mr Gary Wilson</i>	6802
<i>Ms Poole</i>	6803
<i>Mrs Grier</i>	6803
<i>Mr Murphy</i>	6803
<i>Mr Offer</i>	6806
<i>Mr O'Connor</i>	6806
<i>Mr McGuinty</i>	6806
<i>Ms Carter</i>	6807
<i>Mr Curling</i>	6807, 6809
<i>Mr Wildman</i>	6808
<i>Mr Mahoney</i>	6808
<i>Mrs Boyd</i>	6809
Negated	6810

OTHER BUSINESS

Members' expenditures	
<i>The Speaker</i>	6775
Visitors	
<i>The Speaker</i>	6775, 6791
Portuguese community	
<i>Ms Ziemba</i>	6777
<i>Mr Ruprecht</i>	6778
<i>Mr Turnbull</i>	6778
Anniversary of members' election	
<i>Mrs Caplan</i>	6790

Continued overleaf



No. 142A

N° 142A

ISSN 1180-2987

**Legislative Assembly
of Ontario**

Third Session, 35th Parliament

**Assemblée législative
de l'Ontario**

Troisième session, 35^e législature

**Official Report
of Debates
(Hansard)**

Monday 13 June 1994

**Journal
des débats
(Hansard)**

Lundi 13 juin 1994



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers

50th anniversary

1944–1994

50^e anniversaire

Hansard is 50

Hansard reporting of complete sessions of the Legislative Assembly of Ontario began on 23 February 1944 with the 21st Parliament. A commemorative display may be viewed on the main floor of the Legislative Building.

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats a 50 ans

Le reportage des sessions intégrales de l'Assemblée législative de l'Ontario, fait par le Journal des débats, a commencé le 23 février 1944 avec la 21^e législature. Une exposition pour marquer cet événement est étalée au premier étage de l'Édifice du Parlement.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 13 June 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 13 juin 1994

The House met at 1332.

Prayers.

MEMBERS' STATEMENTS MANDARIN SCHOOL

Mr Alvin Curling (Scarborough North): I would like to inform the House that last Friday evening, June 10, I had the privilege of participating in a wonderful occasion that recognized the contributions of multiculturalism and the building of a better understanding and relationship between Ontarians. It was the 22nd annual graduation exercise ceremony of the Mandarin School, held at the Agincourt Collegiate Institute.

The Mandarin School has been in operation since 1972 and has a current enrolment of approximately 450 students. The program includes instruction in the Chinese Mandarin language and its heritage.

The major objectives of the school are to promote and introduce Chinese culture and heritage and to provide Chinese writing and language training as well as cultural and recreational activities for the students and their families.

The Mandarin School was established to act as a bridge between the Canadian and Chinese cultures by assisting new immigrants to adapt to the Canadian lifestyle and by allowing other Canadians to become more aware of the Chinese culture and customs.

I am pleased to recognize the dedication and hard work of the school's principal, Mary Chan, and her husband, Gordon, and the efforts of all the teaching staff and the many caring volunteers. I salute them all.

CHELTHENHAM BAPTIST CHURCH

Mr David Tilson (Dufferin-Peel): I stand in this House today to acknowledge the 150th anniversary of Cheltenham Baptist Church. The congregation celebrated this milestone with two anniversary services on June 5 last.

Located in the scenic village of Cheltenham in my riding of Dufferin-Peel, Cheltenham Baptist Church has been a part of the social and ecumenical tradition of the constituency of Dufferin-Peel since its opening in 1844. Throughout the church's 150-year history, Cheltenham Baptist has been an active participant in building community identity and togetherness.

Churches today play a different role from when the Cheltenham Baptist Church first opened its doors to parishioners in 1844, but through many social changes, the congregation of Cheltenham Baptist Church has been able to offer comfort and leadership within its community.

The anniversary was celebrated with a morning and evening service on June 5, including guest speakers, special music and a time for fellowship and remembrance

and a lunch following the 11 am service. To mark this special occasion, the congregation has been able to add a new organ to help in the celebration of music, made the church wheelchair accessible and added a steeple to the church structure. To ensure the anniversary is remembered for years to come, the congregation is also planting 150 trees throughout the community of Cheltenham to beautify and remember.

I would like to wish Rev Hugh Burritt and the congregation of the Cheltenham Baptist Church all the best in their 150th year. I hope you continue the tradition of community support and individual excellence that has characterized your congregation since its opening 150 years ago.

CANADA REMEMBERS EXHIBITION

Ms Jenny Carter (Peterborough): I want to congratulate all those who organized and contributed to the Canada Remembers exhibition at the Lansdowne Place Mall in Peterborough. The exhibition was opened by His Honour the Lieutenant Governor of Ontario on June 1 and closed with a brief service which included singing by our own Ada Lee on June 6, the 50th anniversary of D-Day.

There are many veterans and war brides in Peterborough, and the chance to share in the memorabilia they have cherished was very moving for us all. In particular, it allowed young people to share a vivid flashback to the horror and the heroism of those days.

Those people laid down their lives on the line in 1944 to roll back a power that had institutionalized human inequality and punished people with death for simply being who they were, whether Jews, Gypsies, disabled people, non-Aryans or homosexuals. The history of Nazi Germany shows that it is not always right to go with the majority or to obey orders without question. We all bear the ultimate responsibility for our own actions.

I thank the Legion branches 52 and 452 in Peterborough and 402 in Millbrook for the good work they do, and I congratulate them, the RCAF and Mr Michael Day, in particular, for putting Peterborough right in front in our commemoration and celebration of D-Day.

LEADER OF THE THIRD PARTY

Mr Steven W. Mahoney (Mississauga West): One year ago today, Conservatives from across the nation gathered in Ottawa to pay tribute to their good friend Brian Mulroney and choose his successor. Forever etched in the minds of Canadians are the memories of the Tory triumvirate—Mike Harris, Kim Campbell and Brian Mulroney—gathered together to celebrate the accomplishments of the Mulroney government.

Last summer, just one year ago, Mike Harris was ready, willing and able to help re-elect Mulroney's gang.

He did everything he could to assist his friends who brought us the GST, free trade, walloping deficits and huge tax increases. From the plowing match in Fergus to the streets of Sault Ste Marie, Mike Harris tried desperately to save a government that was both soft on crime and hard on seniors.

Just one year ago, Mike Harris was a proud Progressive Conservative. How things have changed. Today Mike Harris has forsaken his federal friends and instead is acting like the provincial wing of the Natural Law Party. Stealing a page from Doug Henning, Harris is now promising to cut taxes, chop spending and make the deficit disappear. Unfortunately for Ontario Conservatives, not even 1,000 yogic flyers could make Mike Harris's American revolution work.

As Mr Harris reflects on the year gone by, I would like to offer him and his good friends Mulroney and Kim Campbell this piece of cake with a candle as they celebrate this, the first anniversary of that very important day. Mr Speaker, could I have one of the pages come and deliver this over to the Conservatives? Here we go.

Happy anniversary, ladies and gentlemen. There you go.

The Speaker (Hon David Warner): The honourable member for Victoria-Haliburton.

Mr Chris Hodgson (Victoria-Haliburton): I don't suppose I can take part in that birthday cake. I wasn't here at that time.

Interjections.

The Speaker: Order.

Mr Hodgson: Mr Speaker, my time's running out here. Will I get my time back?

The Speaker: Could you reset the clock, please, one minute and 30 seconds.

1340

FOREST INDUSTRY

Mr Chris Hodgson (Victoria-Haliburton): The Minister of Natural Resources and the Premier are eager to boast to all our global trading partners that Ontario forest products all come from sustainable forests. The Premier is even going to Germany in two weeks to sell this message. The message, however, is wrong and it covers up an underlying truth about our forestry industry in Ontario.

This province's forest management plan calls for 20% of the timber production to come from private forests. That works out at about five million cubic metres per year.

The problem is that Ontario's private forests are in danger. When the managed forest tax rebate program was rescinded last year with no consultation, the Minister of Natural Resources failed to adequately consider the consequences of such a move.

The private woodlot owners depended on the relief offered by the rebate program to justify maintaining their forests instead of clearing their land for other uses. Now the incentive is gone and so are thousands of trees. Sustainability is being sacrificed out of necessity just to keep up with an outdated property tax system that

assesses forests as residential property.

Ontario's private forests are home to recreational trail systems that stretch for thousands of kilometres, bringing much-needed wealth and prosperity to hundreds of communities. Private forests are essential to the long-term viability of forestry and tourism in Ontario.

Today, once again, I call upon the Premier and the Minister of Natural Resources to reinstate the managed forest tax rebate program. Failing to deal with this issue will only bring hardship for Ontario's forest industry and the hundreds of communities that depend on tourism for their survival.

TAX REFORM

Mr Tony Rizzo (Oakwood): Last December the Fair Tax Commission released its report, *Fair Taxation in a Changing World*. The cornerstone of the commission's recommendations dealt with the pressing need for property tax reform.

The report recommended that education should no longer be funded from the property tax. Instead, the \$3.5 billion raised from residential properties as a source of core funding for education should be replaced with funding from provincial general revenues.

At the same time, the report recommended allowing for a local levy at the discretion of local school boards, limited to 10% of provincial funding, to pay for services beyond a provincial standard.

If there is one issue that needs to be addressed by this government, it's property tax reform. The injustice of the current situation is widely acknowledged by everyone. People across the province have told us they believe the property tax system is unfair and our own research confirms this.

The commission's report provides us with a solution that promotes fairness for both taxpayers and students. I call on the government to act now to implement this recommendation of the Fair Tax Commission. We need action now.

HOTEL DIEU HOSPITAL

Mr James J. Bradley (St Catharines): This morning I attended a public meeting with several hundred people at the Hotel Dieu Hospital in St Catharines. Members of the administration, medical staff, non-medical staff, union representatives, volunteers, patients, families of patients and friends of Hotel Dieu were unanimous in the rejection and condemnation of a draft report by consultants commissioned by the Ministry of Health.

The report, if implemented, would result in the elimination of 144 full-time equivalent positions, or about 300 jobs; the closing of the Hotel Dieu emergency department; the cutting of another \$10 million from the hospital's annual budget; the closing of 60 more inpatient beds; and the elimination of half of the 11-bed intensive care unit, along with the loss of nursing jobs in that essential unit.

St Catharines and the Niagara region cannot afford this cutback in health care service, and the Niagara economy cannot afford the job losses and the loss of funding when economic recession has already hit us so hard.

Hotel Dieu, of its own volition, has already participated in a streamlining and rationalization of services offered by hospitals in St Catharines. It has always been ready to discuss such issues in the years to come.

I call upon the Minister of Health to reject the consultants' report and maintain quality health care services at Hotel Dieu Hospital in St Catharines.

AGRICULTURE IN NORTHERN ONTARIO

Mr Noble Villeneuve (S-D-G & East Grenville): This statement should be of particular interest to the minister of the shrinking Ministry of Agriculture, Food and Rural Affairs.

In particular, it's directed at this government's growing tendency to ignore northern Ontario. It is very evident to our caucus, which has a task force to tour the north and to listen to the concerns of that rather unique region.

Our caucus, our task force and I, as Agriculture critic, all realize that there is an important agricultural component to the northern economy and that we have to work with northern producers, as well as those in the south and indeed everywhere in Ontario, but I'm afraid this government thinks otherwise.

A few months ago, when the farm machinery show was held at the International Centre here in the greater Toronto area, the Ministry of Agriculture and Food—this was before the name change—operated a booth called a Rural Resource Centre. Food producers who attended the show pointed out to me that the map of Ontario which the ministry displayed did not go beyond Muskoka. Food producers even wrote to the ministry in hopes of receiving an apology and an explanation why northern Ontario was being ignored on that map. But even the letters have been ignored. For this government, Ontario ends at Muskoka.

I said last week that the people who grow our food are very worried about the direction in which the government is heading with its policies against agriculture and rural affairs. This government has time to draft farm labour laws which no one wants, which no one outside the NDP special-interest groups even asked for.

Unlike the government, we recognize that northern agriculture is an important component of the industry and indeed of our economic recovery. I wish the government would realize that.

OPTIMIST CLUB AWARDS

Mr Mike Cooper (Kitchener-Wilmot): Recently, I had the pleasure of attending an evening which was dedicated to Respect for Law 1994, put on by the Zone 10, Midwestern Ontario District, for Optimist International.

At that evening, I had the pleasure of helping present the awards to some of the people who were there, people like Alan Price from Neighbourhood Watch; Dan Kennedy, the OPP community liaison officer; Joe Kunert; Gordon Griggs; Rhonda Cation; Dave Addicott; Donald Orlik; Judy Harding; Connie Fach; Nicholas Bennett; Tabatha Hudson; Joanne Woods; Debbie Avila; Jillian Stoltz; Drew Ryan; Mike Leduc; Joyce Huck; Cindy Wawryk; Krista Selinger; Edward Shea; and Shawn Floyd.

Thanks to the people such as Tom Kingston and Murray Backus from the Optimist Club of Country Hills in Kitchener; Terry Tosheff and Peter Endean from the Optimist Club of Southwest Kitchener; and Harold Lauber and Craig Findlay, the Optimist Club of Stanley Park, Kitchener.

It seems nowadays the hot issue is the Young Offenders Act. While the media have focused on the young offenders, I'm thankful that the Optimists are truly the friends of youth and are out there making our community a better place to live in.

1350

SECURITY SERVICES

Mr Tim Murphy (St George-St David): On a point of order, Mr Speaker: I am seeking your guidance on an issue that arose on Thursday, and that was particularly the use of latex gloves in response to the demonstration here.

I'm not pointing any fingers or making any allegations, but I'm seeking your guidance. My understanding is that security in the assembly, at least in part, comes under your authority as Speaker and in part I believe under the Solicitor General.

I have a grave concern about the use of latex gloves in those circumstances. I think it was reprehensible, personally. I've received a lot of expressions of concern from constituents and others. Whether that is a matter of privilege or order, I'm not sure, but I do think it is important that we establish a clear policy on this issue. I think it was seen as targeting a particular group because of being gay and lesbian, and that was unfortunate, a wrong message for this assembly and for each of us as legislators to send.

I would ask your guidance perhaps in referring this matter to the standing committee on the Legislative Assembly or whatever committee is appropriate. I hope you will assist me in doing that.

The Speaker (Hon David Warner): To the member for St George-St David, first of all, I appreciate the matter which he has brought to my attention. The member will know that it is not a matter of privilege or of order, but if it will be of assistance to the member, I have had an opportunity to look at the item which he has raised this afternoon.

The Ontario Government Protective Service, with whom we have a contract for security, and the Ontario Provincial Police have a regulation, which is a health and safety regulation, which allows the individual officer at his or her discretion to utilize the latex gloves which are provided to each officer throughout the province if he or she has cause to be concerned about their individual health or safety. It is not a matter over which I have any direct control.

Of course, I know the member would not want the Speaker to issue directions which were in contravention of regulations laid down by the Ontario Provincial Police or the Ontario Government Protective Service.

I hope I've been of some assistance to the member. If he wishes to discuss it further, I'd be more than pleased to meet with him in my chambers.

ORAL QUESTIONS

LEGAL AID

Mr Robert Chiarelli (Ottawa West): My question is to the Attorney General. Minister, there has been great turmoil surrounding the \$65-million deficit in the Ontario legal aid plan. As you're aware, the legal aid committee of the Law Society of Upper Canada is recommending major reductions in the services to be provided, mainly in areas of poverty law, some divorce-related cases and in a number of criminal offences.

Legal aid clinics are in a state of shock, contemplating that they will have to take thousands of cases into their system when they are already very severely overburdened.

Last week, when I asked you a question in this particular area, you indicated that you were very confident that the law society, which is a self-governing profession, would be able to manage this and in fact had the authority to deal with it.

My question to you today, Minister, is this: Do you agree to these cuts and that the law society has a right to make them? If not, where will the funding come from to provide the services that are being contemplated in these cuts?

Hon Marion Boyd (Attorney General): As the member himself pointed out, this is a report that is coming forward from the legal aid committee to the law society, to convocation. There are recommendations that have been made. There were other suggestions for changes that were not recommended by the committee. I think it would be quite premature for me to make a pronouncement on these suggestions prior to convocation.

There were a great many different suggestions and some were passed with very narrow margins within the legal aid committee itself. So I think there is a good deal of discussion to be held. It would not be appropriate for me to say anything except reiterate my confidence that, in looking at the possibilities, the law society will be very mindful of access to legal services; will be very mindful of the provision that is there in the particular recommendation that the member mentioned: that any effect on the legal aid clinics would be taken into account as part of the changes and in calculating any savings, because there's a clear understanding by the legal aid committee itself that there may be a great increase in the workload for the clinics and that there needs to be an adjustment in terms of funding to take care of that.

Mr Chiarelli: It seems that the minister has two standards. When she has an agenda item which she would like the law society to accept, she will go to the law society and she will use her leverage to get it to agree. But when the law society is considering doing something that will very significantly impact on the public, it's a hands-off policy: "I'll sit back and I'll wait." There's definitely a double standard.

Minister, I'm advised by a benchler of the law society that later this month the law society will be considering a motion to make it official policy to stop cooperating with you in the creation of legal aid clinics, which they see as a counterproductive movement. This would be an

unprecedented confrontation with the Attorney General.

Many members of the law society feel you are unduly interfering in their mandate. You publicly announced the African-Canadian Specialty Legal Services Clinic without prior consultation; you used your leverage beforehand with the law society to extract law society consent to the Women's Family Law Centre. You are clearly moving to a clinic-based system, which deprives low-income people of a choice of counsel, which choice is available to people of means. This would create a two-tier legal aid system.

Will you not agree that by not funding the legal aid plan, you are forcing people into clinics, and will you not have to provide more resources to these clinics? You're going to have to pay one way or the other. Which is your preferred way, clinic or supporting the plan?

Hon Mrs Boyd: I think it's very unfortunate that the member is making claims about my trying to force the law society to do anything, because that is not the case. Indeed, what we have done as a government, together with the legal aid committee, is look at different ways in which we can offer services in a more effective and efficient way.

As I pointed out in this House last week, our support for the legal aid system has increased by 240% over the last five years. That is hardly any kind of sign of not supporting access to legal services.

What we have said is that we cannot continue, when the legal aid system goes over budget, to simply supply the deficit amount each year, because that is not in keeping with good business practices. We have indicated that we will work together with the legal aid committee to look at ways in which we can streamline the system and we can begin to save in some areas. Indeed, the legal aid community is looking at ways in which that can be done.

We have encouraged them, and this began long before I became Attorney General, to look at the notion of other ways of serving different communities. That is where the whole area of family law clinics came in. It began a long time ago. The design committee was set up by the legal aid committee. In fact, the whole idea of the full-service women's clinic was not our idea but the design committee's idea. We, instead, insisted that they also test out a staff model.

The Speaker (Hon David Warner): Could the minister conclude her response, please.

Hon Mrs Boyd: So we are looking at a number of different options with them. It would be very unfortunate if the law society were to decide not to go forward with the clinics, because the operating costs of those clinics are to be paid for out of the savings in certificates. It is not to be—

The Speaker: Could the minister please conclude her response.

Hon Mrs Boyd: —a question of additional moneys to pay for the clinics at all.

Mr Chiarelli: Under the Ministry of the Attorney General Act, you are mandated to superintend all matters relative to the administration of justice in the province of

Ontario. Come election time, you and your government will be answerable for the services that are provided or not provided, for the type of legal system, the type of justice system we have. Your conduct is moving us to a two-tier system and you are going to be accountable for that.

Last week I asked you, to change subjects slightly, about the \$122-million deficit in the lawyers' insurance fund used to pay clients who win malpractice cases against lawyers. I reminded you at that time that if this were a private insurance company, the province would be forced to close it down. You expressed confidence at that time that the law society would solve the problem. I'm informed that the law society will be considering a motion later this month to impose a transaction fee on all future real estate clients until this \$122-million deficit is covered. They will be asking the consumer of legal services in the real estate area to cover the deficit for the law society's past management of this insurance fund, which is regulated by the superintendent of insurance in your government.

My question to you is this: Do you agree or disagree that the superintendent of insurance, who has management of this issue for the government, should permit this to happen? Do you agree that consumers of real estate services in legal offices should cover this deficit? I'm asking you this as Attorney General, responsible for superintending the administration of justice in the province of Ontario.

Hon Mrs Boyd: I've asked for a full report on this issue. I have not yet received the advice that I require in order to answer the member. As soon as I do, I'll be happy to answer him.

1400

YOUTH EMPLOYMENT

Mr Steven Offer (Mississauga North): I have a question to the Minister of Finance. Minister, last week my leader raised the issue that students who have a summer job with the province are now being forced to join unions and pay union dues. As you know, your bill amending the Crown Employees Collective Bargaining Act now forces students to be part of public unions and to pay union dues.

The reality of this situation is that young people who are lucky enough to get a job over the summer with, for instance, Ontario Place or Fort William or Fort Henry now face lower wages because they must pay a percentage of their pay to OPSEU or other public sector unions. These are the same young people who now suffer from a jobless rate of 30% and are facing higher tuition fees because of the actions of your government.

My question to the minister is whether it is fair for these young people who have a summer job with the province to now be forced to be part of a union and to have to pay union dues.

Hon Floyd Laughren (Minister of Finance): I do understand, I think, what the member for Mississauga North is suggesting; namely, that the students should be exempt from paying any of the union dues, despite the fact that, in my understanding at least, they get the

benefits that accrue from paying those dues. Unless the member for Mississauga North has information otherwise that the students don't get benefits from the dues that they pay, then it would seem to me to be reasonable.

Mr Offer: I think we have to be very clear. As we all know, students already face undue hardship because of this government's policies. They face a one-in-three chance of not getting a job at all this summer. They face annual tuition fees of greater than \$2,000, which is more than 40% higher than when this government took office.

Minister, your government rammed through a piece of legislation which cuts the salaries of those students who will get jobs this summer. The question to the minister is, how can you possibly justify taking money out of students' pockets to give it to unions when all your other policies have dealt these same young people such a hard blow?

Hon Mr Laughren: I do understand the fact that the member for Mississauga North doesn't like the idea of people paying union dues to start with. I appreciate that.

Secondly, he indicated in his preamble that the reason there is high student unemployment in the province is directly because of the policies of this government. Nothing could be more ridiculous, and I'm surprised that the member for Mississauga North would clutter up an otherwise legitimate question, at least, with that kind of rhetoric in his preamble, when he knows full well that this government has done more on capital expenditures to create jobs for young people and others in this province than has been done by any government in the history of this province.

So I don't need a lecture from the member for Mississauga North on the policies of this government having anything to do with other than doing whatever we can to help create jobs for younger people and other people at the time of the worst recession since the 1930s.

Mr Offer: Let us be absolutely clear: Last summer and for all summers previous, students who had jobs with the government, summer jobs such as at Ontario Place and the many areas throughout the province, were not forced to be part of a public-sector union and to pay union dues.

This government last December rammed through a piece of legislation which now forces every young person who has a summer job with the province to not only be part of a union but pay union dues. It is bad policy. It hurts young people. They receive no benefit. What we are asking you to do today, Mr Minister, is to commit to change the legislation so that students who have summer jobs with the province will no longer have to be part of a union and have to pay union dues.

Hon Mr Laughren: First of all, I don't believe this is such precedent-setting legislation. It has been many, many years since I was a student working in the summer. I can recall paying union dues when I was a student, and that was some time ago, I must say to the member for Mississauga North. So I don't think he should try and paint this as something that has never been done before; it certainly has. I can tell you that people who receive benefits from belonging to an organization—

Mr Offer: There are no benefits.

Hon Mr Laughren: Of course there are benefits in belonging to an organization such as that.

Mr Offer: Students get nothing.

Hon Mr Laughren: That's not true. That is absolutely not true.

Interjections.

The Speaker (Hon David Warner): Order.

Hon Mr Laughren: That is absolutely not true. That shows how ignorant the member is on the whole question of what people get when they join a union. They get the protection of the union and they get the wage rates that are there now, that would probably not be there if it wasn't for the presence of that union.

The member for Mississauga North can stand in his place and rant all he wants about how evil unions are and how nobody should pay union dues, but I can tell you, Mr Speaker, people do get benefits from joining a union.

UNCLAIMED PROPERTY LEGISLATION

Mr David Johnson (Don Mills): My question is to the Minister of Finance. Minister, in 1989 the Liberals introduced a bill that would allow the government to seize the value of the unclaimed property of the people in Ontario. At that time you said—and I want to quote from Hansard; I want to make sure I have this correct—"There is a sense out there in the financial community that they have been snookered by the government on this bill," and you said that the government had not appropriately consulted. Now, that bill did not become law, but you have resurrected that bill as part of Bill 160, which we'll be debating later this afternoon.

Minister, this morning I met with representatives from the financial community, and I can tell you that they believe they have been snookered by you. They believe that it is impossible to comply with this bill, that this bill has come out of thin air. My question to you is, why are you doing today exactly what you accused the Liberals of doing just a few years ago?

Hon Floyd Laughren (Minister of Finance): I'm shocked and appalled that you would imply that I was doing anything that was similar to what the Liberals did back in 1989, because I can tell the member opposite that one reason the former government did not proclaim the bill was that—

Mr David Tilson (Dufferin-Peel): How do you keep a straight face?

Hon Mr Laughren: One reason the previous government did not proclaim the bill was because there was a strong sense that they had not consulted appropriately on the bill, which is why, when we started to look at the bill again, we decided to correct that omission and indeed have already engaged in consultation with the financial sector.

I know the financial sector doesn't like it. I don't expect the financial sector to like the fact that they are no longer going to be able to hold on to basically other people's money, rather than people themselves having access to that.

Mr David Johnson: Minister, there is a difference

here between not liking it and consulting. I can tell you that I've met with the investment dealers this morning, with the representatives of the trust companies and the banking people and the retailers' association, and they feel that you have not consulted, that this has come out of thin air.

Minister, this act is clearly brought forward to put money in the provincial coffers, perhaps \$30 million. I think that's your target. It's a tax grab of what people don't even know that they own. We are told that in some cases the cost to administer this will be \$2 to return \$1. By granting the extra authority to the public trustee to be able to investigate for compliance, in effect you're converting the public trustee into a form of bounty hunter. There are so many contentious issues of this bill.

Minister, what I'm asking you is, will you split this omnibus bill in order that we can study these problems and have a fair hearing on it, particularly with regard to the unclaimed property?

Hon Mr Laughren: I just want to clear up one accusation made by the member, and that was that we had not consulted with the industry. That's simply not the case. Ministry of Finance officials met with the industry representatives in March of this year. When the bill was announced in the 1994 budget, we met with them immediately following that, the next day as a matter of fact. We met with industry representatives and then, the day after Bill 160 was introduced, we met with them again.

1410

We've also assured them that we are going to establish a business advisory group that will develop regulations. There's going to be ample room in the bill the way it's drafted for some fair amount of flexibility on the way in which the regulations are drafted.

Finally, we did listen to the complaints that were made by the industry back in 1989 and have rectified virtually all of the problems that the industry had.

Mr Chris Stockwell (Etobicoke West): How come they don't like it?

Hon Mr Laughren: I'm glad the member for Etobicoke West asked me that question. The reason that the industry doesn't like it, of course, is that they now keep that money and use it when, it seems to me, it doesn't belong to them. It's unclaimed and it belongs to somebody else. Why should the banks, which are hardly penurious in our society, be allowed to keep this money to themselves when the public trustee should be the one who looks after other people's money? It does not belong to the banks.

Mr David Johnson: They tell me that you have not consulted, and I have to believe them when they tell me that. This has come up very recently.

Minister, they oppose it for many reasons. There are legal problems. The Bank of Canada has problems with it; the federal government for sure will have problems with it. The administration costs are enormous. There are many reasons to oppose this bill.

But let me tell you about an example where a person puts down, let's say, \$100 to buy a snowblower with a retailer, a snowblower for the winter that's coming up,

and then forgets about it. The retailer has that \$100 on account, and retailers are affected by this legislation as well. That retailer could be subject, as an individual, to a fine of \$5,000 a day; as a corporation, that retailer could be responsible for fines of up to \$25,000 a day for non-compliance with this bill.

Mr Minister, what I'm hearing is it's going to be impossible to comply with this bill. There has not been enough thought.

The Speaker (Hon David Warner): Could the member place a question, please.

Mr David Johnson: What I'm asking you, Minister, again for the sake of the financial community, the business people who are going to be fined \$5,000, \$25,000 a day, will you hold public hearings, will you allow the public to make deputations on this and hear why this bill simply can't work?

Hon Mr Laughren: I'm surprised to hear the member for Don Mills suggest this bill can't work. This bill works and it is successful in every state in the United States, every single state. Are you telling me that the large, prosperous banks in this province cannot deal with an issue like this? I don't believe it for one minute. I don't expect the banks to like the fact—

Mr Stockwell: God bless America, eh, Floyd?

The Speaker: The member for Etobicoke West is out of order.

Hon Mr Laughren: —that now the public trustee is going to look after the money that belongs to other people rather than the banks holding on to it. I don't think that makes any sense at all.

I would remind the member that money held by the public trustee is held in perpetuity in case they're able to track down the people to whom it rightfully belongs. It's nothing to do with grabbing money from people. It's putting it in the hands of the public trustee rather than leaving it in the hands of the banks. It's as simple as that.

The Speaker: New question, the honourable member for Don Mills.

Mr David Johnson: Again, my question is to the Minister of Finance. I would say that in the United States there's an entirely different system. The states control the banks. But at any rate, we'll leave that. I just hope the minister would look into that.

The Speaker: New question, please.

INSURANCE TAX

Mr David Johnson (Don Mills): Mr Minister, my question this time is with regard to your attempt to defend the government's new tax on insurance deductibles. It has come to my attention that the reason last week you had such a difficult time in terms of defending the position on the insurance, on the deductibles for the insurance, is simply that the decision was made and it was announced by the bureaucracy and you weren't informed, that you did not give your approval and that you were not aware of it.

Minister, my question to you is, is that true?

Hon Floyd Laughren (Minister of Finance): I wonder if I could first answer the first part of the mem-

ber's question about the banks in the United States dealing with the intangible property. He says that while it's true that it's in place in every state in the union, it's different. It's a different banking system in the United States, so of course our act will be different. But I can tell the member opposite that I see no single reason why other people's money should be held by the banks rather than in trust by the public trustee in this province.

Mr David Johnson: What happened to my question, Mr Speaker? I thank the minister for answering the previous question, but I did raise a question with regard to the deductibles on insurance and I was expecting an answer on that. However, maybe he'll do two answers after the next question.

Minister, the bureaucracy has been directed to find new ways to raise revenue. This was announced in Topical back last November, about the time photo-radar was brought in. The bureaucracy was directed to find any way to raise money. This is exactly what they've done in terms of the new tax on deductibles.

Last Wednesday—and I'm going to quote you from Hansard again, Minister, for a second time—you said, "I appreciate the member raising this issue yesterday." This was last week. "Since he did that, I've had some preliminary"—note the word "preliminary"—"meetings with people in the ministry."

Minister, preliminary meetings should have taken place before the announcement. Were these the initial meetings that you held with your ministry staff on this issue? I think it's clear that you have not been consulted by the bureaucracy on this major change and you were not informed when this issue was raised in the House. Is this how tax policy is made under your leadership?

Hon Mr Laughren: I wonder if I could address this question that the member now asks. This question was raised by the member for Mississauga North quite persistently and aggressively last week, I must say, and I think appropriately so. There was a memo that went out on, I believe it was, May 16 that indicated a change in the way in which tax was collected on the deductible portion of insurance claims.

The fact of the matter is that there is no new money for the province in the way in which the memo was directed—repairs and body shops and so forth—to handle the issue. As a matter of fact, there'd be less money collected because it flowed from a problem with exempt people having the deductible paid for them when there shouldn't have been any tax on it at all in the first place. As a matter of fact, the May 16 memo would have resulted in even less money being collected by the province than before.

There's not a nickel extra of money being collected by the province as a result of that May 16 memo. It was simply to try and clarify the whole distinction of who is the consumer of the service that's being provided here. The memo indicated that the consumer should pay the tax on it rather than the insurer. That's where the confusion came from. It was intended to clear up a matter that was causing a problem with people who were tax-exempt. There was no question that it was done with the right intention, but the fact is that as a matter of fact that

memo did muddy the water somewhat.

Mr David Johnson: Minister, I'm going to try one more time. This is the third time. I understand your explanation for the tax etc. I don't say I agree with it but I understand it.

But Minister, the question is, before this new tax—I'm going to call it a new tax—came into effect, and this is what I'd like you to address, were you aware that this was being introduced? Your statement in Hansard indicates you were not aware. The information we have is that you were not informed by the bureaucracy that this was coming forward.

This new tax is going to hurt individuals, families, companies. We want to know, did this tax come forward from you or from the bureaucracy? If it did come forward from the bureaucracy and you were not aware of it, Minister, you could withdraw this tax at this point. Were you aware? Will you withdraw it?

Hon Mr Laughren: There are a large number of administrative matters that are dealt with by the bureaucracy in any ministry, and the Ministry of Finance is no exception to that. When it comes to the specific action I intend to take, I think it's only fair that I wait for the question from the member for Mississauga North.

1420

Mr Steven Offer (Mississauga North): I have a question to the minister of financial institutions. Minister, you will know that last week we brought to your attention the tax on insurance deductibles. You know that this tax affects individuals, businesses, municipalities and school boards. You know that the insurance companies don't want this tax. You know that the consumers don't want this new tax. My question to you is, will you repeal this tax?

Hon Mr Laughren: I appreciate the question from the member for Mississauga North. I hope I won't have to go back over old ground that I just finished tilling with the member for Don Mills.

The fact of the matter is that when we went back and consulted with the insurance industry, it was done to clarify the whole question of who is the actual consumer of the service here and should be paying the tax. The reason it was done was for that purpose and also to make sure that tax-exempt persons did not have to have the tax paid on the deductible. It was a well-intentioned move, but one that caused as many problems as it solved, quite frankly. So, yes, we are going to go back to the old system.

The insurance industry has indicated very clearly that it wishes to continue to pay the tax on the deductible, and I am assuming there's no reason to believe it won't keep its word in that regard. To answer the member for Mississauga North directly, yes, we're going to go back to the system in which the insurer pays the tax on the deductible.

Mr Offer: This repeal of the deductibles I think will, without any question, save an awful lot of money for many consumers, but the question that still remains is, how is it that the decision to foist this tax on consumers was made in the first place?

How is it that decisions of this nature are made when the Insurance Bureau of Canada was unaware? How is it that a decision which would impose without question a tax burden on consumers, on business, on school boards, on municipalities was made? The question still remains as to why in fact the decision was made in the first place.

Hon Mr Laughren: I think the member from Mississauga North is aware that, I don't know how many, but many, many, many tax bulletins go out every year from what used to be the Ministry of Revenue and is now part of the Ministry of Finance. These go out on a regular basis to clarify either the existing tax statutes or a policy or a regulation change and so forth. So there's nothing unusual about a bulletin going out from the Ministry of Finance.

When it came to our attention that this was causing—and I'll be quite frank and direct with the member—as many problems as it solved, then it seemed to me that we should go back to the old system, and that's exactly what we're going to do, which the member from Mississauga North has been urging me to do for a week now.

LEGAL AID

Mr Charles Harnick (Willowdale): My question is to the Attorney General. The Ontario legal aid plan currently owes lawyers \$65 million for work they have done on behalf of the legal aid plan. This is the amount of the deficit. Can you explain how you intend to pay these lawyers for the services which they have provided to the plan if you don't have the money?

Hon Marion Boyd (Attorney General): The calculation of \$65 million is not, as the member states, something that we owe lawyers in quite the way that he's stating it. Indeed, it's the shortfall between what the legal aid plan calculates that we would owe them and the amount of money that we have given them less the amount of money that is always there in terms of cash flow. That has increased and that is of great worry because lawyers are not getting their accounts as quickly as they have been wont to do. That is certainly causing hardship for them.

The situation is, as we've talked about in this House a number of times, there is indeed a shortfall from the calculations that the legal aid plan makes in terms of what it will cost them this year to provide services unless they make some changes. They've come forward with some recommendations on changes; there may be others that are forthcoming as the discussion goes on. We continue to work with them to try and deal with what is a very serious problem.

Mr Harnick: Minister, the problem is that even with the \$21 million in proposed spending cuts, the plan will still be over budget. The lawyers have done the work, certificates have been issued, and you owe them money. What will you do to stop the bleeding within the plan, for which you have the ultimate responsibility?

Hon Mrs Boyd: The member is wrong. In fact what we are talking about is a calculation on this year's budget of what it is anticipated to cost. As the year goes on and as we see what the actual case is, we will do what we have always done and work together with the Law

Society of Upper Canada around how to deal with the problem. There are a number of options that at this point in time have been rejected by the legal aid committee. They may need to reconsider some of those options.

What we have said is that, given the enormous increase in the legal aid budget over the last few years, we are unable to keep increasing it at that rate and that we are going to maintain it at a set rate. We need to work together to find some way to live within our means.

SOCIAL ASSISTANCE

Mr Derek Fletcher (Guelph): My question is to Tony Silipo, Minister of Community and Social Services. Recently dozens of economically disadvantaged people marched in downtown Guelph and they were protesting cuts and freezes to programs that people survive on. They were concerned with the erosion of the federal and provincial social services.

The protest was organized by the Onward Willow community development project, which is funded by your ministry. They're concerned about getting out of the social assistance cycle and into the workforce, retraining for older workers, day care for parents who want to work. They're afraid that the clamping down on welfare fraud will make scapegoats of vulnerable people. The mayor, John Counsell, and I met with these protesters, and we promised we would do something.

Can you tell me what the government is doing to make sure that welfare fraud initiatives will not burden or disfranchise my constituents?

Hon Tony Silipo (Minister of Community and Social Services): I know the member will recall the discussion I had with him and members of the Onward Willow community back in January. I can tell the member that certainly he can pass on to his constituency that the initiatives aimed at welfare fraud are just that and are not ones aimed at putting people across the system in jeopardy.

In fact we believe very strongly that the vast majority of people who are on social assistance are there because they legitimately require those benefits. I can assure him that as the measures are being put into effect, we are keeping that very much in mind as our guiding principle.

More important than that, I can also tell the member that as we continue to do some of the other pieces of work to both better manage the social assistance system and bring about some of the improvements to the system, particularly under Job Link, which is the whole array of services that we want to put into the system to help people who are on social assistance to be able to get training and education and connection to jobs, those are also initiatives that will put people where they need to be, which is to get the kind of support they need to be able to exit the system where they wish.

Mr Fletcher: The march was indicative of the people's anger at how the government is clamping down on welfare fraud. My good friend Andrea Robinson says she's heard of some heavy-handed tactics that are being used against the people who feel defenceless when confronted with allegations. Another friend, Gary Zuber, who also works there, points out that everyone knows what most of these cuts and changes entail, but they have

done nothing but strike fear and despair into the hearts of many people: "Why are you after single moms? Why are you going to force them back to work?" When I asked the people at this rally, "How many of you volunteer your time to community projects and community work?" more than 90% raised their hands. I think it blows something out of the water in terms of what the Conservatives are talking about.

When you last visited my riding in January, you did meet with the social service agencies and the Onward Willow people at the Family Gateway centre, and we heard their concerns first hand. What is the message—and I have to be able to go back to my constituents with this message—that I can take them? Are they going to be defenceless?

Hon Mr Silipo: The short answer is no. We are going to continue to work. Members of the Onward Willow community and other community organizations will very much have a seat at the table as we continue to work through these issues.

Let me say to him that on the social assistance side, one of the measures we are putting into the system is better practices through a statement of principles that will be applied both to workers in the system and which will outline rights and responsibilities that social assistance recipients have. That will be helpful also, together with some training we want to do, to clarify the relative roles that everyone has and to ensure that people indeed continue to be treated with respect.

On the social services side, which I know is another area that community continues to be quite interested in, we want to build upon exactly the kinds of things that are happening in the Onward Willow community, which is one of the special projects we have across the province; to make some changes to the restructuring of our social services system, in fact building on the kinds of things that we know have been working in that community and making those more the example right across the province.

1430

TVONTARIO HEADQUARTERS

Mr Steven W. Mahoney (Mississauga West): In the absence of the Premier, my question is to the Minister of Finance. I'd like to return to the issue of the new TVOntario building.

What I want to know, Minister, once and for all, is whether or not TVO is going to build itself a new building with the taxpayers' money. Your boss, sir, the Premier, said just two weeks ago that there was no new building in his plans. We all watched his lips as he said, "No new building." Yet TVO continues to plan for a new building. According to the *Toronto Star*, TVO is looking currently at at least three sites that we know of.

All we want to know is, was the Premier right or not? Will there be a new building or won't there be a new building for TVO?

Hon Floyd Laughren (Minister of Finance): In the absence of the leader of the official opposition, I'd like to respond to the member for Mississauga West. I have been following this issue with some interest since it was raised a couple of weeks ago.

Mr James J. Bradley (St Catharines): Is Bernie still there?

Hon Mr Laughren: No.

I think what the member for Mississauga West is referring to is the fact that there was a request for proposals to come back in for some ideas in which TVO could be more efficiently and appropriately accommodated, and what he's referring to is the fact that those proposals are now coming back in. I believe some of them include a new building, but not all of them do.

Mr Mahoney: What I'm referring to is that the question was indeed asked by my leader, and it was asked of the minister, who stood up and gave an answer that would appear to endorse TVO's proposals of going out and looking at how to build a new building. The Premier was asked, outside of this place, if he supported that, and the Premier—let me be very clear—said no new building for TVO.

Let's be clear. They're looking at three sites currently—we've seen that reported—and two of them would require a new building. The last time your government dithered while another government agency played around with the idea of a new building, we wound up with the \$180-million Simcoe Place by the Workers' Compensation Board, without cabinet even giving approval or being asked for approval on the decision.

No, sir, don't you point over here. That was your cabinet's decision to allow that to go through and for the WCB to move ahead. I would have thought that waste of \$180 million would have taught you a lesson. Obviously, it hasn't.

The Speaker (Hon David Warner): Could the member place a question, please.

Mr Mahoney: Minister, the question is, you, sir, are the minister who writes the cheques around here. The Premier has said no new building.

The Speaker: Could the member please place a question.

Mr Mahoney: TVO is continuing to pursue it. Will you assure this House today that there will be no money granted by you, the Finance minister, for TVO to build a new building in this province?

Hon Mr Laughren: I don't remember disagreeing with the Premier since he ran for the leadership back in 1982. I did listen very carefully to the minister, as well as the Premier, and I heard the minister say that what she was seeking was the best and most cost-effective accommodation for TVO, and that's the way it should be.

Interjection.

Hon Mr Laughren: Well, that's what I'm saying to the member for Mississauga West, that the best deal for the taxpayers will at the end of the day be the one that's signed.

TRANSPORTATION STUDY

Mr David Turnbull (York Mills): My question is to the Minister of Transportation. Minister, the Majesky report, that famous unsolicited, untendered, unnecessary report, which had on its panel four government employees, including three from your own ministry, the

MTO, working on it, cost the taxpayers some \$200,000. That's not including the cost of the MTO staff.

It's offensive to the private sector that Mr Majesky, the former union boss, was awarded a contract to produce a report which was blatantly anti-private-sector and full of offensive cartoons and had the following statement under the subheading of "Corruption and Patronage":

"The overwhelming evidence shows that the more the public officials deal with the business community, the more taxpayers suffer—through graft, kickbacks, overruns, overcharges and poorer services and quality of work."

Minister, how can you justify spending taxpayers' money on a report which vilifies the private sector?

Hon Gilles Pouliot (Minister of Transportation): I just wish to say, with respect to the member opposite, our critic, that it was \$170,000.

Interjections.

Hon Mr Pouliot: You mentioned, and I'm quoting verbatim, the sum of \$200,000, and I only wish, with respect, to set the matter straight.

For the first time in the annals of the province, an opportunity was given to people doing the work, to labour unions. The government sought their input. We're studying their recommendations. We saw nothing that is vehement, nothing that is out of the ordinary. It's a serious report, and the taxpayers indeed got value for money, so we will be meticulously reviewing the report line by line and then we will act on some of the recommendations.

Mr Turnbull: I certainly would like to retract if indeed it was \$170,000, but I suggest the minister might want to add in the supplementals, which take it to around the \$200,000 mark. But let's please apologize for that inexactitude.

Minister, I've got a copy of this report, and if you think it's okay for taxpayers to be funding a report which depicts the private sector as people in outhouses, I think you're wrong, and I think the voters of Ontario think you're wrong.

On February 10, 1993, you stated, "We believe working with the private sector is the best way to improve our transportation network." Minister, how do you square working with the private sector and the kinds of quotations and rude cartoons that are in this report? The Ontario Motor Coach Association has asked for an apology, and I ask you the same: Will you stand up today and do the honourable thing and say that you misappropriated the taxpayers' money and that you apologize unequivocally to the private sector for this travesty?

Hon Mr Pouliot: Mr Speaker, I would prefer, with your permission of course, to deal with the substance of the report. If the member opposite finds a cartoon somewhat offensive, the cartoon does not deal with the substance. We didn't draw the cartoon. We asked for a report, and we got a report.

Mr Turnbull: What about the taxpayers?

The Speaker (Hon David Warner): The member for York Mills, please come to order.

Hon Mr Pouliot: Thank you, Mr Speaker. At the risk of sounding repetitious, we've commissioned a report—

Mr Turnbull: You always sound repetitious. You never answer the question.

The Speaker: Order.

Hon Mr Pouliot: If the recommendations in the report avoid one legal work stoppage, one strike, one confrontation, the relatively small amount of money will indeed have been well spent. I invite the member opposite to stress the negative as opposed to going on a continuous witchhunt, trying to impute motives on the members of the labour movement. It has no place in this assembly.

Mr Turnbull: Read the report yourself. It's disgraceful, wasting taxpayers' money on this kind of—

The Speaker: The member for York Mills, please come to order.

Mr Turnbull: It's very hard when he's wasting taxpayers' money on this insulting crap.

The Speaker: I ask the member for York Mills to please come to order.

1440

INCOME TAX

Mr Paul Wessenger (Simcoe Centre): I have a question to the Minister of Finance that has arisen out of the concerns of many of my constituents who have children about the unfairness of our income tax system.

The federal Income Tax Act discriminates at present against those who wish to have children. A couple with children is essentially penalized for their family status, since the full child tax benefit can only be claimed at a relatively low income threshold. At a time when the Canadian birth rate is declining and leaders in this province and elsewhere claim to respect family values, it would seem appropriate, by means of a modest incentive built into the tax system, to encourage people to have children.

Minister, what is your opinion of the way in which the current taxation system provides a child tax benefit? Do you think this provision needs to be reformed?

Hon Floyd Laughren (Minister of Finance): I appreciate the question from the member for Simcoe Centre. We do have some problems with the federal child tax credit benefit program for the simple reason that it does not provide adequate support for low-income families and the working poor with children. There's no question, in my view, about that.

It also doesn't provide additional benefits to a family whose income drops during the year, which of course is not an unusual thing to happen, which is one of the reasons Ontario provides the assistance it does to low-income families with the Ontario tax reduction program. That program provides \$395 per child under 19 years of age. Also, there's a \$50 child supplement in the Ontario tax credit system.

Yes, we do have some problems with the federal system, which is also one of the reasons why the Minister of Community and Social Services is having ongoing negotiations with the federal government: to make sure

that Ontario, for a change, will get its fair share.

Mr Wessenger: There is a second aspect of my question I'd really like answered.

Take a normal, middle-class couple composed of two childless income earners. They pay the same tax as a middle-class couple who might have three or four children. It seems unfair that there's an added burden in our federal tax laws placed on people of modest, middle-income-tax income.

Minister, I wonder if you would take this issue up with the federal government and urge the federal government to re-examine the whole tax benefit provisions to try to reinstate something into the income tax to have a more effective incentive and more fairness with respect to those families who have children and those who do not.

Hon Mr Laughren: We are quite prepared, and as a matter of fact, are engaging in those kinds of conversations on a very regular basis. The federal Liberal government, as you know, has informed Canadians of its intention to reform the social security system by 1996. Those talks are ongoing, and certainly the whole question of the child benefit program will be part of that discussion. I know the Minister of Community and Social Services will be taking an active role, in fact a leadership role, in trying to make the system fairer.

YOUTH EMPLOYMENT

Mr Alvin Curling (Scarborough North): Since the Deputy Premier is on his feet, I'll put a question to him with regard to the thousands of young people who are coming out of school now without any jobs. What is your job program of getting them jobs for the summer?

Hon Floyd Laughren (Deputy Premier): I wonder if I could refer that question to the Minister of Education and Training.

Hon David S. Cooke (Minister of Education and Training): The government this year, in terms of talking about summer jobs specifically for students, is spending the same level of dollars that we spent last year in the province. Because of some changes in the way the money is being administered, there are actually more jobs being created for young people in the summer this year under the provincial jobs than there were last year.

Mr Curling: That's not what I'm hearing. There are more jobs being created, but are there more jobs being offered to these young people? As you know, about 20% of the young people are out of jobs; the unemployment rate for young people is that high.

Your government increased the tuition fee. Your government also cut back on the OSAP loans; as a matter of fact, eliminated all the grants. Your government had also put enough taxes on the parents. Now they are burdened with that, and fewer job opportunities are there.

I want you to tell me specifically not only of the summer programs, but tell me about those young people who are graduating. My daughter is graduating tomorrow and she has no job. Hundreds of her friends are saying the same thing: There are no job opportunities for young people coming through.

Tell me more specifically, what are you doing about those young people whose opportunities are being lost

because there are no jobs for them?

Hon Mr Cooke: The member should do some research. I'd be glad to provide him with the information that obviously Liberal research hasn't provided him with.

We in fact have continued with the Jobs Ontario youth program and maintained the levels of funding we had last year. We've got the Environmental Youth Corps program, the northern Ontario training opportunities program, the Futures program. There are jobs under the Jobs Ontario Training program, and a significant number of them go to young people. There's the youth ventures program.

Those programs were all announced in the House a few months ago. We've set up a central hotline this year in order to have students come in to one phone number to get all the information about jobs that the provincial government has created this summer for young people.

The fact is that we are doing more than has ever been done in the history of this province in terms of job creation for young people. The dollar amounts show that. No matter how many times you want to say different, that happens to be the fact. We'll stack our record up against yours any day.

The Speaker (Hon David Warner): New question.

Mrs Dianne Cunningham (London North): I don't think either of the governments has provided summer jobs for students.

HIGHWAY SAFETY

Mrs Dianne Cunningham (London North): My question is to the Minister of Transportation. Minister, I think it was last July that you responded to a question from my colleague from London South on the issue of raised pavement markers on Highway 407. You have certainly stated and have proven through your own policies that you're interested in safe roads in Ontario. We're all aware, and you are as well, I know, of the raised reflective pavement markers often called cat's-eyes and of how effective they are, especially for driving in the evening, especially for seniors and during fog and rain. Even some of your own studies dating back to 1981 recognize the merits. So I have a couple of questions, given the time that you and I have.

There's a feeling that we've been talking too much about this. Although 407 was supposed to be part of the pilot, you should know that between Woodstock and London, there's some construction going on now. My first question is, would you consider using that piece of the highway as part of this project? You did say yes, it would be a good idea for 407, but it's taking such a long time.

My second question has to do with some information I've received from people who work in this particular industry.

The Speaker (Hon David Warner): Would the member complete her question, please.

Mrs Cunningham: I will, Mr Speaker. Time's running out, so I will.

Would you agree with me that it would be important for you, yourself, to meet with members of the industry, who sometimes feel that some of this information is not

being directed to you in the same way they would like it to be?

Two questions: Would you consider the Woodstock-to-London piece for a pilot of some type soon? Secondly, would you meet with members of the industry so they could explain their position?

Hon Gilles Pouliot (Minister of Transportation): Raised markers on highways are not a new phenomenon. Many motorists who have had the opportunity to travel, mostly in the southern States, can acquiesce, will attest that the raised markers keep the drivers alert. They're a reliable guidance, a reliable ingredient in making the roads safer.

We have a motto at Transportation Ontario: We wish to make the roads of Ontario the safest in North America. We're on our way to achieving just that. In fact, we're spending more money on highways than ever before, even during these difficult but certainly not impossible times, at Transportation.

You're right. We have a pilot project. It's almost finished. We have to go through one more winter of maintenance to assess the replacing cost factor. Let me quote to you, while I value the question—

The Speaker: Could the minister conclude his response, please.

Hon Mr Pouliot: —a quote from the Common Sense Revolution: "\$300 million will be trimmed from the Transportation ministry's capital budget."

The Speaker: Could the minister please conclude his response.

Hon Mr Pouliot: I'm very happy to recognize that the member opposite disagrees with this kind of not-so-commonsensual revolution. We're spending the money and we're waiting for the pilot project. When we have digested, assimilated the data, we might or might not, depending on our database, implement raised markers.

1450

Mr Pat Hayes (Essex-Kent): A point of order, Mr Speaker: I really feel that my rights have been violated, and also the rest of the members' in this House, because of a piece of literature, false propaganda that the leader of the Liberal Party has sent out, especially in the rural ridings. This thing is so full of false propaganda that—

Interjections.

The Speaker: Would the member take his seat, please. The member does not have a point of privilege and he knows that. What material is distributed by members is entirely at their choosing. It has nothing to do with the House.

Mr Hayes: It's taxpayers' dollars, Mr Speaker.

The Speaker: The member will know he does not have a point of privilege.

PETITIONS

MOTORCYCLE AND SNOWMOBILE INSURANCE

Mr Hans Daigeler (Nepean): I've received a petition signed by some 500 residents of Ontario. These people are very concerned about the lack of available and reasonable insurance coverage for motorcycles. In particular, they're concerned about the impact of this

situation on the motorcycle dealerships and the motorcycle industry in general.

They petition the Legislative Assembly of Ontario:

"That the government of Ontario should study the feasibility of launching public motorcycle and snowmobile insurance."

I'm pleased to present this petition.

SPECIAL SERVICES AT HOME PROGRAM

Mr Allan K. McLean (Simcoe East): I have a petition here to the Legislative Assembly of Ontario:

"In this, the International Year of the Family, we, the undersigned, call upon the Minister of Community and Social Services to support and strengthen families in Ontario by significantly increasing the funding allocation to the special services at home program.

"This most cost-effective program provides essential support to children and adults with disabilities so that they can remain with their families in their homes.

"This could be accomplished through a redistribution of current resources and this could create the equivalent of over 1,200 full-time jobs in the province of Ontario."

I have hundreds of these petitions signed by the people in my riding and in Ontario.

MOTORCYCLE AND SNOWMOBILE INSURANCE

Mr Larry O'Connor (Durham-York): I've got a petition to the Legislative Assembly of Ontario:

"Whereas we, the undersigned, are of the opinion that private insurance companies are exploiting Ontario motorcyclists and snowmobile operators by charging excessive rates for coverage or by outright refusing to provide coverage;

"Whereas we, the undersigned, understand that those insurance companies that do specialize in motorcycle insurance will only insure riders with four or more years of driving experience and are outright refusing to insure riders who drive certain models of 'supersport' bikes; and

"Whereas we, the undersigned, believe this situation will cost hundreds of jobs at dealerships and in the motorcycle industry and is contrary to the rights of motorcyclists and snowmobile operators;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario should study the feasibility of launching a public motorcycle and snowmobile insurance program."

I think that's a great idea and I affix my name to this.

KETTLE ISLAND BRIDGE

Mr Gilles E. Morin (Carleton East): I have a petition addressed to the Parliament of Ontario:

"Whereas the government of Ontario has representation on the Joint Administrative Committee on Planning and Transportation for the National Capital Region; and

"Whereas JACPAT has received a consultants' report recommending a new bridge across the Ottawa River at Kettle Island which would link up to Highway 417, a provincial highway; and

"Whereas the city and regional councils of Ottawa, representing the wishes of citizens in the Ottawa region,

have passed motions rejecting any new bridge within the city of Ottawa because such a bridge and its access roads would provide no benefits to Ottawa but would instead destroy existing neighbourhoods;

"We, the undersigned, petition the Parliament of Ontario as follows:

"To reject the designation of a new bridge corridor at Kettle Island or at any other location within the city of Ottawa core."

I will affix my signature.

SEXUAL ORIENTATION

Mrs Dianne Cunningham (London North): To the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas Canada was founded on Judaeo-Christian principles which recognize the importance of marriage and family;

"Whereas the redefinition of 'marital status' will extend to same-sex couples the rights and benefits of marriage;

"Whereas this redefinition will further increase the likelihood that children will learn to imitate homosexual practices;

"Whereas there is evidence that there will be negative financial, societal and medical implications and effects on the community with any increase in homosexual practices, the redefinition of 'spouse' and 'family status' and policies concerning adoption of children by homosexuals;

"We request that the House refrain from passing any legislation that would alter or redefine marital status."

This petition is signed by hundreds of people from the city of London and the county of Middlesex.

CASINO GAMBLING

Mr Ron Hansen (Lincoln): I have a petition to the Legislative of Ontario:

"Whereas the issue of legalized casino gambling is a sensitive issue;

"Whereas we believe the city of Niagara Falls, Ontario, has not received a mandate to introduce casino gambling from the people of Niagara Falls at the last municipal election;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We, the undersigned, who are opposed to casino gambling, request that the Legislative Assembly of Ontario not allow the city of Niagara Falls to become a candidate for a gambling casino unless there is a broad-based public support for such a facility, which we are requesting to be determined through a referendum vote by the citizens of Niagara Falls."

There is a total of 101 names, and I'll affix my signature to this petition.

CARABRAM

Mr Robert V. Callahan (Brampton South): I have a petition signed by a number of people. It's addressed to the Legislative Assembly of Ontario:

"Whereas, Carabram, the annual Brampton

multicultural festival is to be held July 8, 9 and 10 in Brampton; and

"Whereas this event has grown over the years from four pavilions to the 20 featured this year; and

"Whereas this event has attracted over 80,000 visitors from all over Canada and the United States; and

"Whereas this successful event is the result of the hard work of up to 2,500 volunteers; and

"Whereas the entire event is run without support from any tax dollars; and

"Whereas, for about the price of a theatre ticket one can savour the sights and sounds of Arabia, Canada, the Caribbean, China, Croatia, England, Germany, Greece, Hawaii, España, Holland, India, Ireland, Israel, Italy, the Philippines, Poland, Portugal, Scotland and the Ukraine; and

"Whereas since 1985 a reception has been held to thank representatives of those pavilions, hosted by the leader of the Liberal caucus; and

"Whereas the reception is to be held today in room 351, commencing at 5:30 pm; and

"Whereas each and every member of the Legislature is cordially invited to attend between 5:30 to 7 to savour a small sample of this event;

"Therefore, the undersigned hereby petition the Legislature to not only attend the reception in room 351 commencing at 5:30, but also the full festival on either July 8, 9 or 10, 1994."

It's signed by several voters, including myself.

MOTORCYCLE AND SNOWMOBILE INSURANCE

Mr Allan K. McLean (Simcoe East): To the Legislative Assembly of Ontario:

"Whereas we, the undersigned, are of the opinion that private insurance companies are exploiting Ontario motorcyclists and snowmobile operators by charging excessive rates for coverage or by outright refusing to provide coverage;

"Whereas we, the undersigned, understand that those insurance companies that do specialize in motorcycle insurance will only insure riders with four or more years of riding experience and are outright refusing to ensure riders who drive certain models of 'supersport' bikes; and

"Whereas we, the undersigned, believe this situation will cost hundreds of jobs at dealerships and in the motorcycle industry and is contrary to the rights of motorcyclists and snowmobile operators;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario should study the feasibility of launching public motorcycle and snowmobile insurance."

1500

Mr Kimble Sutherland (Oxford): I have a petition as well, similar to the one that was read out by the last member, regarding the serious concern about private insurance companies "exploiting Ontario motorcyclists and snowmobile operators by charging excessive rates for coverage or by outright refusing to provide coverage."

This petition is signed by about 20 people who are constituents of mine, and they ask:

"That the government of Ontario should study the feasibility of launching public motorcycle and snowmobile insurance."

I'm sure they congratulate the efforts of my colleagues from Lincoln and Kitchener-Wilmot who have been leading the battle on this issue.

CASINO GAMBLING

Ms Dianne Poole (Eglinton): I have been sent a petition by a number of concerned citizens who live in Niagara Falls, Thorold, St Catharines and area who have asked me to read this on their behalf, and I am pleased to do so:

"To the Legislative Assembly of Ontario:

"Whereas the issue of legalized casino gambling is a sensitive and controversial issue; and

"Whereas 'this government has said it will not put a casino anywhere there is not overwhelming support' (written statement by NDP MPP Margaret Harrington of Niagara Falls presented at the September 2, 1993, public hearings of the standing committee on finance and economic affairs regarding Bill 8); and

"Whereas we believe that the city council of Niagara Falls, Ontario, has not received a mandate to introduce casino gambling from the people of Niagara Falls at the last municipal election;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We, the undersigned, who are opposed to casino gambling, request that the Legislative Assembly of Ontario not allow the city of Niagara Falls to become a candidate for a gambling casino unless there is a broad-based public support for such a facility, which we are requesting to be determined through a referendum vote by the citizens of Niagara Falls."

SEXUAL ORIENTATION

Mrs Dianne Cunningham (London North): "To the Parliament of Ontario:

"Whereas the protection of human rights is a fundamental principle of international law and is an overriding responsibility of all governments; and

"Whereas the NDP government of Ontario has introduced Bill 167, the Equality Rights Statute Law Amendment Act, 1994; and

"Whereas we are very concerned about the elimination of discrimination against gay and lesbian relationships; and

"Whereas any further denial of these basic human rights in Ontario is unconscionable;

"We, the undersigned, petition the Parliament of Ontario as follows:

"To actively support relationship recognition for lesbian and gay citizens of Ontario by showing leadership on this basic human rights issue and voting yes to Bill 167, the Equality Rights Statute Law Amendment Act, 1994, and asking your colleagues do the same."

This has been signed by almost 200 individuals

throughout the city of London and throughout counties extending beyond Middlesex.

Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings): I have a petition signed by 212 members of the congregation of St Gregory's, the great Roman Catholic church in Picton, expressing opposition to the proposed extension of spousal benefits to same-sex couples. It may seem redundant; however, it was requested that I read this petition into Hansard, so therefore I will proceed:

"To the Legislative Assembly of Ontario:

"Whereas, in our opinion, a majority of Ontarians believe that the privileges which society accords to married heterosexual couples should not be extended to same-sex relationships; and

"Whereas for our government to use our tax money to furnish contributions for the propagation of practices which we sincerely believe to be morally wrong would be a serious violation of our freedom of conscience; and

"Whereas redefining 'marital status' and/or 'spouse' by extending it to include gay and lesbian couples would give homosexual couples the same status as married couples, including the right to adopt children; and

"Whereas the term 'sexual orientation' is vague and undefined, leaving the door open to the demands for equal treatment by persons with deviant sexual orientations other than the practice of homosexuality;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We request that the Legislature not pass into law any act to amend the Human Rights Code with respect to sexual orientation or any similar legislation that would change the present marital status for couples in Ontario."

I do not support this petition and will not be signing it.

HEALTH INSURANCE

Mr D. James Henderson (Etobicoke-Humber): A petition to the Legislative Assembly of Ontario:

"Whereas the Ontario government has announced its intention to reduce emergency coverage for out-of-country health care on June 30, 1994;

"Whereas the citizens of Ontario are entitled to health coverage, no matter where they are, with payment made on the basis of the amount that would be paid for a similar service in the province;

"Whereas the Canada Health Act entitles all Canadians to health care on an equal basis;

"Whereas this decision by the Minister of Health is in direct contravention of the Canada Health Act;

"We, the undersigned, petition the Legislature of Ontario to ensure that the Minister of Health follow the provisions of the Canada Health Act and prevent further erosion of our health care system in Ontario."

That petition is signed by several dozen of my constituents and by me.

SEXUAL ORIENTATION

Mr Allan K. McLean (Simcoe East): "To the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parlia-

ment of Ontario as follows:

"Whereas traditional family values that recognize marriage as a union between a man and a woman are under attack by Liberal MPP Tim Murphy and his private member's Bill 45; and

"Whereas this bill will change the meaning of the words 'spouse' and 'marital status' by removing the words 'of the opposite sex'; and

"Whereas this bill would recognize same-sex couples and extend to them all the same rights as heterosexual couples; and

"Whereas the bill was carried with the support of an NDP and Liberal majority but with no PC support in the second reading debate on June 24, 1993; and

"Whereas the NDP government has indicated it will force private-sector employers to pay same-sex spousal benefits; and

"Whereas redefining 'marriage' and forcing the private sector to pay same-sex spousal benefits will have serious negative economic and social implications;

"We, the undersigned, petition the NDP government to withdraw consideration of private sector spousal benefits for same-sex couples and refuse to pass the Liberal private member's Bill 45."

I have signed my name to that.

TOBACCO PACKAGING

Mr David Winninger (London South): I have a petition addressed to the Legislative Assembly of Ontario, and among the signatures are board members of the London-Middlesex unit of the Canadian Cancer Society:

"Whereas more than 13,000 Ontarians die each year from tobacco use; and

"Whereas Bill 119, Ontario's tobacco strategy legislation, is currently being considered by the Legislative Assembly of Ontario; and

"Whereas Bill 119 contains the provision that the government of Ontario reserves the right to regulate the labelling, colouring, lettering, script, size of writing or markings and other decorative elements of cigarette packaging; and

"Whereas independent studies have proven that tobacco packaging is a contributing factor leading to the use of tobacco products by young people; and

"Whereas the government of Ontario has expressed its desire to work multilaterally with the federal government and the other provinces, rather than act on its own, to implement plain packaging of tobacco products; and

"Whereas the existing free flow of goods across interprovincial boundaries makes a national plain packaging strategy the most efficient method of protecting the Canadian public;

"Therefore we, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to work with and pressure the government of Canada to introduce and enforce legislation calling for plain packaging of tobacco products at the national level."

I've affixed my signature to this petition.

REPORTS BY COMMITTEES**STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRS**

Mr Paul R. Johnson from the standing committee on finance and economic affairs presented the following report and moved its adoption:

Your committee begs to report the following bill as amended:

Bill 134, An Act to revise the Credit Unions and Caisses Populaires Act and to amend certain other Acts relating to financial services / *Projet de loi 134, Loi révisant la Loi sur les caisses populaires et les credit unions et modifiant d'autres lois relatives aux services financiers.*

The Deputy Speaker (Mr Gilles E. Morin): Shall the report be received as adopted? Agreed.

Shall Bill 134 be ordered for third reading? Agreed.

INTRODUCTION OF BILLS**COUNTY OF LAMBTON ACT, 1994**

On motion by Mrs MacKinnon, the following bill was given first reading:

Bill Pr113, An Act respecting the County of Lambton.
**CITY OF SCARBOROUGH ACT
(SMOKING BY-LAW), 1994**

On motion by Mr Frankford, the following bill was given first reading:

Bill Pr101, An Act respecting the City of Scarborough.
1510

ORDERS OF THE DAY**EXTENDED HOURS OF MEETING**

Mr Charlton moved government notice of motion number 29:

That, notwithstanding standing order 9, the House shall continue to meet from 6 pm to 12 midnight on June 13, 14, 15, 16, 20, 21, 22 and 23, 1994, at which time the Speaker shall adjourn the House without motion until the next sessional day.

Hon Brian A. Charlton (Government House Leader): I'll make a few very brief comments today in support of the motion that I've put before the House. As you know, the standing orders for this assembly set out the option in the last two weeks of both the spring and fall sessions for the House to, by motion, sit late, till midnight, in order to attempt to complete its business by the end of the calendar as is set out in those standing orders.

I must suggest that although during the course of this spring session we've probably made better progress during the regular part of the session leading up to the last two weeks than in any session since the last election, I also have to remind myself and the rest of the House that in most of the sessions since that same last election in 1990, even with the use of the late-night sittings, we've sat considerably beyond the normal adjournment date in June, usually till the end of July, and last year even a few days into August. Members begin to understand the consequences of that kind of legislative schedule in terms of its impact on both the legislative agenda itself and on them as individual people.

We inevitably, as you well know, have a number of matters around legislation that we've dealt with during the session on second reading that get referred out to committees for public hearings during the intersession between the spring and the fall session and similarly in the intersession between the fall session and the new spring session each year. If you will recall, in both of the last two summers, in 1993 and in 1992, because the House sat till the end of July, and last year actually a few days into August, the committee hearings got compressed into five or six weeks and then the House is back in late September.

Not only did the legislative work of those committees over the intersession get hampered to some extent by that compression of time, but a lot of members on this side of the House and on the opposition side of the House found themselves with very little time during probably the most important time of the year for members to get home and spend some time at home, because their children are out of school and so on and so forth, to accomplish that time at home, because they spent most of that time either here or on the road with one of the legislative committees.

I think it's in the best interests of everyone in this House that this year we proceed in a more orderly fashion to get the session over with by the end of the regular calendar that's set out in the standing orders, which would be June 23, a week from this Thursday, two weeks from last Thursday, and that we use these two weeks of late-night sittings to substantially finish the Legislative agenda for this spring so that members can spend some time in their ridings and with their families during the early part of the summer and we can still have plenty of time in which the committees can deal with the public hearings and clause-by-clause study of the four or five pieces of legislation that will be referred by this session to committees over the course of the intersession.

I think it's important that we deal with this motion this afternoon. I think we've done a good job, the three House leaders, of moving the agenda forward this spring, and for the first time in three years we're within reach of finishing the spring session on target. I think it's incumbent on all of us to work together to see that happen and to get on with the business that the committees will then be involved with during the intersession.

I encourage all members of the House to support this motion so that in fact we can have a more orderly conduct of business over the course of this year—at least more orderly than it's been for the last several years—and the members can find themselves in a much better position to deal with what becomes difficult for members, their very personal, private and family lives, because we've kept them locked up here in Toronto for, on some occasions, far too long.

Mr Murray J. Elston (Bruce): I understand that the sections of our standing orders were designed to make the business of the House go in a more orderly fashion. I understand that it has been seen as of necessity that we sit till midnight during the last eight scheduled sitting days of the session. While it is interesting to try to shove the last bit of business through in extended-hour sittings, in my view it doesn't necessarily help the debate level

whatsoever to force people to be here till 12 o'clock on those last eight sitting days as the schedule is set by our calendar.

In any event, the way the calendar is set hardly has any real effect on us here anyway since we never use the calendar that much. We leave late on most occasions, we come back late on a lot of occasions, and in many regards the standing orders themselves have become largely irrelevant by the government's use of its large numbers to bypass what is usually considered to be the traditional method of doing business here. We have never seen, I think, in this House ever—in fact, we never have—so many times when motions are brought forward which are designed to outflank the provisions of the standing orders of this House in a way which prevents almost all of our attempts to do business in a realistic and businesslike fashion.

We have in this place 130 members. As you know, the Speaker never joins a debate, cannot join a debate and cannot vote on any of the votes here unless he or she is required to break a tie. So there are in essence 129 members who should and would like on a lot of occasions to speak on any of the particular bills that are brought forward to us.

1520

We know that not everybody is going to want to speak to each of the bills, that there are certain important issues which come our attention as local members, that come to us as people who have perhaps been advocates for a particular point of view, advocates for a particular set of policy frameworks which we would like to see implemented in the province of Ontario.

But the way this government has worked, they have prevented most members from participating in debate in any real fashion. They have prevented most people from coming in front of our committees and delivering as lay people, so to speak—

Interjection.

Mr Elston: The member for Oxford just woke up again. Every time that I get a chance to speak, the member for Oxford sits back in the back row next to the exit door and starts yapping. I wish he would let me deliver a speech once where I didn't have to listen to his nattering on all occasions. But in any event, Mr Speaker—

Mr Jim Wiseman (Durham West): I feel that way about the member for Etobicoke West.

The Deputy Speaker (Mr Gilles E. Morin): The member for Durham West, please.

Mr Elston: It's tactics like those as well which are designed, I guess, to make sure that we never really get a chance to debate in this place either.

But here's our problem: We can't get the time to do business on almost every occasion that a controversial issue comes in front of the House. "The members would like to speak on Bill 40," we indicated to the House leader of the day, and we were time-allocated. We wanted to speak on Bill 91, the matter which was designed to make the farm sector subject to labour organization, and we were time-allocated; time after time

after time. We now understand that unless we take some steps to do the exceptional, no debate will ever occur around here.

That is what is kind of galling about the fact that this motion is being brought today, under the auspices of the standing order, to say it's regular business now to sit till 12 o'clock on the last eight days. There is no regular business in this place. There is no regular debate in this place. There is no time for us to debate the issues that cause the people of this province great concern.

The reason we have this chamber, and I've said it before and I'll say it again, is to let the public in on the debate about important changes in public policy. The democratic institutions throughout the world are the alternative to the conflict which used to rage and establish the might as right. Here the voice is all that we have to assist in coming up with some kind of a consensus. The speech, good or bad, is all we have to help our society understand the direction that is being taken by the executive authority. As long as this voice is allowed to be heard in this chamber, there will be an opportunity to help consensus come about in the broadest sense throughout the province of Ontario. If people believe they cannot be heard, if they believe the dissent cannot be raised, then they will have really no respect for the chamber whatsoever.

In relation to Bill 91, the farm labour bill, we suffered probably the greatest defeat of freedom of speech in this province for some time. There, the time allocation motion was not just to limit the debate, which of course time allocation is in any event, but it basically shut off all second reading debate at the end of the debate that we had. It then said, "There will be no committee," and everybody knows that committee is the only stage at which our bills have a chance to be spoken to by the general public. "There will be but one hour of time to consider the amendments," and there are amendments from the government benches, because they made a mistake when they introduced the bill in the first place. "There will be but one hour in committee of the whole for that," with all of the problems associated with Bill 91, and then after we finish putting all the questions for the amendments, "There will be but one hour of third reading debate."

That type of activity, the shutting down—

Mr Kimble Sutherland (Oxford): Bill 167—

Mr Elston: There he is. The member for Oxford woke up again. I don't understand what his big problem is, but I can't tell why he has to keep interrupting me every time I speak.

I think it is important for us to know that a bill which removes a traditional exemption of the farm workplace from the Ontario Labour Relations Act was not allowed to go to committee, was not allowed to have on the public record, in the Hansards of our committee activity, the wise observations of those people who happen to dissent. In fact, it's important to know that at no time on the record around Bill 91 in this Legislative Assembly's time with which we deal with that bill will there be any kind of words from the people who helped to negotiate the deal that fixed that issue. That really is rubbing it

totally into the wound of those people who are in dissent against that, because the people have a right to have a public record from those people who support and those people who oppose legislation like the farm labour legislation.

If we had a chance and we knew that we would be able to speak more freely and more fully about some of the policy changes, I don't think we would be offended as much about this now "routine" motion.

It's unfortunate that in fact the motion even got put, because it seems to me that had we been able to have more faith in the likely prosecution in a real way of our business here by allowing more people to speak at length on some of the bills which were most, most problematic, then we could probably even do our business inside the general timetable for this place. What conspires against us doing that type of thing is, first, the number of bills which come in; second, the manner in which they come in; and third, the general uncaring attitude of the government towards those people who dissent.

It is from my observation a real concern that so much rationing of time in considering public policy is taking place here. It has been an unfortunate new tradition established by this government, the New Democrats, of dumping before us omnibus bills. So that they don't have to introduce a series of bills, what they do is they cloud them all in some kind of a general principle and say, "We're going to introduce one bill," so that when we debate one bill, we end up having but three days on second reading, and then we get time-allocated by the people over there, and then we can't really determine what is good or what is bad.

On three different occasions now, particularly with respect to budget-oriented things, we have been confronted by bills which at the end of the day were very bad indeed, and in fact we had some agreement with respect to that by the government, as it unbundled parts of their omnibus nature and allowed us to proceed with some very specific parts.

The trend continues. We had Bill 29, we had Bill 81, both of which now have received some unbundling, and now we have Bill 160, which is the one which we will continue with in this evening's debate when we get to that stage of the day.

Bill 160, just so the people of the province will know why we are sitting from 1:30 till 12 today and the same for the next few days, actually amends 16 bills and creates one new bill. Sixteen pieces of legislation are going to be debated, or parts of them are going to be debated, under the ambit of one act, and a 17th act will be established under this omnibus bill. It hardly sounds credible that we are going to be able to give enough real good time to Bill 160 and all its parts when it is bundled together like this.

1530

Why shouldn't we have a separate piece of legislation on the Co-operative Corporations Act? There are some good things in that. I don't think there is much to be hidden by putting it in an omnibus bill. Why shouldn't we talk about the Education Act? There are some good

parts that would be, it seems to me, reasonably quickly dealt with.

Why wouldn't we be dealing with some of the things on the Game and Fish Act, because I know that the commercial fishery has agreed to fees being raised? Why do we have to hide it under the cloak of this omnibus bill? What about the Ontario home ownership plan? Good news for a lot of people, a well-received portion of this year's budget, why does it have to be in this omnibus bill?

The answer to that question and others comes when you take a look at things like the Unclaimed Intangible Property Act, because that is controversial. It is not well regarded by people in industry. It may be well regarded by the people in Treasury, because of course it would mean that they would get some more money. The merits of that issue ought to be determined outside the ambit of this big omnibus bill.

The same thing with the public service employees union act. That is a very interesting piece of legislation, because here, formally, we establish a separation of the pension funds that apply to the Ontario public service union employees. It seems to me, the new piece, which is really quite concerning, is that the active people go off in one plan while the retireds stay in another. Why shouldn't that, for instance, be determined and understood and studied separately? In fact, why shouldn't that be studied separately during the daylight hours, so to speak, when people are sharper?

It goes without saying, in my view, that as we sit longer and longer in this place, when we start debating at roughly 3:30 of the clock, as we are today, and when we finally finish by 12, there will not be the same degree of exercise of the debating skills as there would if we were taking this in two-and-a-half or three-hour snippets during the regular daylight time.

These two at least, and those other items I mentioned, while not controversial, are all important. The public, it seems to me, would be better respectful of this place if they thought that the points which were causing concerns were actually being addressed in a real and serious way.

I have no complaint with the circumstances which make our business difficult to allocate time towards. This is a busy place, and the busier government is, the fewer and fewer valuable moments we have for actually taking on our responsibilities and duties as elected representatives to thoroughly study every piece of legislation. We rely in many ways on the outside public to raise and bring to our attention the issues which are most troubling for them.

We have just finished in committee, for instance, Bill 134, a bill which had some issues which needed to be searched out and fine-tuned. In fact, it was one that attracted, as I recall, 127 government amendments and a few amendments from those of us who were in the committee who thought that there were issues worthy of raising again for discussion purposes in the committee format.

Anybody who knows this place very well understands that you don't get a lot of discussion in the Legislative

Assembly. You get some speeches, you get to point and counterpoint here, but you really don't get the interchange of ideas around particular issues. The committee is very valuable for that purpose, and so we raised some issues and we actually found ourselves fortunate enough to be able to pass the odd amendment, where we determined that there were problems with either the wording, the placement or the expression of interest of some of the sections.

Those changes were in general, I think, well received. In fact, if they hadn't been well received by the government, they wouldn't have passed, as anybody who can count would well understand. But in regard to a lot of the issues, Bill 134 is a little bit of the exception. It wasn't an issue that had a lot of problems associated with it once a lot of discussions were held around its meaning and terms.

But I can tell you that at least it got to committee and we were able to have the exchanges of ideas which prevented some very serious problems from continuing on in the legislated form that the draughtsman had originally provided to this place. That, in my view, is not going to be the circumstance with a bill like Bill 160. It probably is not going to be the situation with a couple of other bills, because we are going to be using the late night hours to push on our examination of those items.

It is critical for us in this Legislative Assembly to start studying the issue of the omnibus bill. From time to time we send items off to the Legislative Assembly committee, where sometimes they re-emerge but, in my view, issues around omnibus bills like Bill 160, where there are 16 existing acts amended and then there is the creation of a new one—not only issues in this past year's budget but even issues from a prior year's budget are all contained under the cloak of this omnibus bill.

How in the world can we be expected to study so many issues under one bill? I don't mind the fact that we can have omnibus bills in education, where the Education minister, in making one or two changes, has to move forward and address issues in two or three statutes that have some bearing on the issue. But why should we in this Legislative Assembly be forced to consider basically the entire 1994 budget, plus two or three additions from the 1993 budget, in one bill?

It doesn't make sense. This is the expenditure or the raising of moneys by the government of the day. Heaven knows, we hardly get any budget debate time. As my friend the member for York Mills, Mr Turnbull, raised on a couple of occasions, we have I think seldom, if ever, in this Parliament, in this Legislative Assembly, voted finally on a budget. That's unfortunate, and now we're being asked to vote on one bill which basically encapsulates most of the provisions of the 1994 budget.

It's not all bad. As I said before, a lot of it is good and it should be seen in that light. But now we are getting an entire budget plus others in one bill and we have no opportunity to speak to these individual items, even to suggest changes or amendments which might very well not be accepted. I understand that, everybody understands it, but at least we have the opportunity to put the case, to show the cause.

We're being told, because we get to the last eight days of this calendar schedule, that we will not be allowed to have very long, if any, committee hearings whatsoever on some of these bills because some of the issues are extremely important to the government to have passed right away.

I can imagine things like the Employer Health Tax Act. That's a good program, establishing a holiday for some employers and creation of new jobs. They will have a holiday from paying the tax. The extension of the Ontario Home Ownership Savings Plan Act would have some good results. But you know something? We will never get a chance to understand in detail what is going on.

I'm not the critic for the Finance area of our party. The member for Scarborough-Agincourt, Gerry Phillips, is, and he does a wonderful job, a very good job indeed. But you know, he could have an hour and a half to speak to 160 as it starts off. If I wish to speak to Bill 160, and I do wish to speak to parts of it, and I wanted to speak to the whole of it, I would have 30 minutes to talk to 17 statutes. That's then two minutes per statute if I was going to cover them all, and it would seem to me to be a very, very large restriction indeed on my ability to put my public representative's case for my constituents.

1540

We changed the standing orders and limited speech here to 30 hours—30 minutes; it just seems like 30 hours on some occasions—by other than the leadoff speakers on every piece of legislation. We did that because we thought there was too much speaking. I think most of us thought that 30 minutes was enough time to deal with most of the business of the House, but that was before the advent and use on a regular basis of the omnibus bill to prevent us from actually prosecuting our analysis of legislation.

It's an actual travesty. If we had known, for instance, that we were going to get only 30 minutes to speak to 17 different statutes under the cloak of one act, most of us would probably have said, "No, no, no, none of this 30-minute stuff, because we would wish to have some time to speak to each of these." We don't have much time to speak to each of these.

In that regard, the standing orders themselves do not protect the right of the minority to speak. It doesn't protect anybody. If, for instance, someone over there on the government benches decided that they didn't like some of the material that was coming through on Bill 160, they likewise would be allowed only 30 minutes to speak to some 17 statutes which are being changed.

It's interesting too that these are not, in many ways, minor changes. There are substantial items being carried out here and they're not really consequential, one change to another. These are isolated items under each of these statutes which are being changed under either the 1993 or the 1994 budget. That's what is so evil about this and that is what makes me stand on this occasion to speak a little bit longer than I probably would, had we the ability to actually speak out in this Legislative Assembly on bills that are brought forward by the government.

I actually sat for a while this afternoon and considered

what steps might be taken to outline even more fully some of the problems associated with this type of activity. I came to the conclusion that there aren't that many people who would really be that interested in the complaints of someone who wants to speak a little bit longer on some of the bills. Heaven knows that the general public thinks perhaps that we talk too much now on some of these items, except if you happen to be the person or the group of people who are in opposition to a piece of legislation. Then you want the voice to be heard.

What happens if you don't want to see the severance of active employees of the Ontario public service union moving off to their own pension plan? What happens if you happen to be one of the retirees who gets left with the other pension fund? Maybe you don't like that. The opportunity is quickly coming to an end when you will have a chance to marshal your opposition.

It's interesting as well that we have, initially, only one day scheduled for the debate of this item. Not that there aren't a number of hours; I think the government House leader has said that we can debate Bill 160 from the end of this debate and the vote until the end of the day at 12 o'clock. It sounds like a lot of time.

But you know, in terms of marshalling your forces and your cause, if there is but one day for people to consider your issue, it's all over in one day. It's difficult to marshal your support and the interest of those of your colleagues who may not be as thoroughly versed as the leadership of an advocacy group might be around a particular piece of legislation. It is almost impossible to respond on that one day only. You need a couple of days to get things moving as the interest in a debate starts to rise.

That's why the omnibus bill has become a useful tool for the New Democrats. That's why I think the Legislative Assembly should take a very close look at the use of the omnibus bill to cloak a whole series of separate pieces of activity by the executive council in this secretiveness.

I think that despite the continual use of heavy-handed moves by the government in time-allocating those bills that are most contentious, in spite of the fact that there are shenanigans designed to lure people into believing there will be a debate when the debate has not occurred, despite the fact that the government protests that it has talked to everybody it needs to talk to, and whatever else could be done here or said in committee by the people on the street who come to visit us in committee, it has done it all and it is not needed, our institution will have a chance not long from now to revitalize itself and its internal operations so that we again can have some really good debating time available to bona fide people who wish to speak on an issue.

I'm not talking about people who want to speak just to cause a delay; I'm speaking about those people who asked to be heard because their interests have not been heard in the original draft of a piece of legislation. That's our job here. People who are members of the opposition have to express that position from time to time and it's important for me to know that my standing orders will allow me to do that.

I think it's also important to understand that the use of numbers during this Parliament has been such that very little is left to do on a consensual basis among the party people here. If there is a disagreement on one day about the number of hours left in a debate, the next day we are served with a notice for time allocation. That, in my view, is not very healthy; it causes an awful lot of high blood pressure when we could have avoided it.

It seems to me that when you move to use that type of an instrument to get around going into a recognized portion of the institution like committees, there should be some intervention from the neutral third party, the Speaker's chair, to say you can't do that type of thing; that if you're going to time-allocate, there has to be some reasonable time made available at each of the stages; that if time allocation is to occur, then there ought to be a reasonable amount of time available for public input from a person who is not a member here; that if there is to be a time allocation, there has to be some reasonable amount of time in committee of the whole; that if there is going to be time allocation, there must be some reasonable time on third reading; that in fact time allocation itself cannot be used to avoid any of the sections of our legislative process, that each section must be represented in a reasonable amount of time.

I make this declaration believing that it could very well be against our interests as a political party. There is an election coming. At some stage there will be an election coming, and there is a good chance that the Liberals—a good chance it could be the Conservatives, there's a third party available—there's a good chance that either of the two opposition parties will actually establish a government.

But I think the changes ought to be made so that this place can function at all of its stages when a time allocation motion is moved. If they aren't, then it seems to me that we are preventing the type of work that this institution is designed to do from being carried out. This is the place where dissent has to be expressed. This is the place where a review of the executive council or the executive council member who sponsors a bill has to be checked. This is the place where the work of the public service is publicly exposed to the light of an analysis by outside eyes. That's why I think the workings of this place must be reassessed, and we have to get back to allowing this place to actually air out those public issues.

This motion I wish was able to be debated for a long time. I'd line up a whole series of my colleagues to talk this through past 6 o'clock, just to make the point that we could do that and that we could avoid now sitting till 12 o'clock, but of course the standing order is written to allow only a two-hour debate.

1550

I am not going to take up the full two hours, but it is interesting to me that we will do an awful lot of work from the hour of 6 o'clock till 12, six hours an evening, for eight days, probably more debating time made available than we've had even up till now. I didn't count up the number of days we've sat; Mr Wilson, the whip for the New Democrats, may very well know, or one of my other colleagues may know how much debat-

ing time we've had till now. But the extension by six hours of our sitting day, it seems to me, will collapse the public debate on a lot of these issues into such a small period of time that this institution cannot be expected to carry out its legitimate and very much necessary and important task of airing the public policy and the issues which are being brought before us in this House.

I've spoken about Bill 160, but the same might be very well said about Bill 174, I think it is, the good management bill or something like that; that's not its precise name, but it's an amendment of several statutes. It was introduced by the Attorney General not because she's intimately involved in the day-to-day operations of government, except in her department, but because the government couldn't decide who else might carry it because there are some things that apply to treasury board, there are some things that apply to Management Board, there are some things that apply to another statute. You know something? We are going to be asked to deal with that bill in very short time frames as well.

All we have to do, in fact all we've been doing, two or three people in our caucus since we got the bill last week, is try to decipher what in the world is going on. When I approached some people on the government side saying: "Listen, what are you doing with this bill? You've got to give us some more time," we were told, "You can look as hard as you want, but there's not going to be anything out of line in this bill."

Well, I took that with a grain of salt. We had two or three really good examples of bills that were drafted with no problems evident, at least according to the ministers, which ultimately came back to us as being totally off the mark. I just name a couple. The farm registration bill, as it's called now, in its first form was totally unacceptable, not only to all the people in the opposition benches but to most of the people who represent farming areas on the NDP side of the House.

They didn't want that bill at all. They didn't want the \$2,000 fine that the executive council had approved by way of draft form of the bill, the form in which it was introduced in the first reading. So it was scrapped, it was taken away, and a different bill was brought back some months later after all the fuss was raised here in this House and out in the public.

There are provisions as well around the current Bill 91. It is not a bill that was reflective at all—I shouldn't say "not at all." There are some parts that were reflective of some of the discussions about it. Most of Bill 91, the farm labour bill, is not reflective of the substantial amount of work done by the public committee that was settled, by way of membership from farming communities and labour organizations and the government, to draft the bill.

The Minister of Labour brought in his own version, largely, I suspect, at the behest of his advocates for labour legislation in his own organization. We found out that in fact 11 express conditions of the final report of the consensus committee were either overlooked or were overruled by the minister and his cronies when they brought that bill forward. Now we find that we're going to go to committee of the whole. We can't go to commit-

tee because we've been time-allocated out of that. When we go to committee of the whole, all of those 11 oversights will be remedied by amendments. "Trust us," he says.

We don't really trust him all that far. We will wait to see what the committee of the whole does. All we can do is wait to see what the committee of the whole does, because we are time-allocated away from doing the real work that should be done in the full committee, the standing committee on resources development probably, that would look, piece by piece, at the existing legislation as it was introduced, the existing Bill 91, and then re-examine the intentions as expressed by way of amendments that are going to be introduced by the Minister of Labour or his parliamentary assistant in the committee.

This place needs to be rejigged. This place needs to be run an awful lot better. This place needs an overhaul. In some ways it means going back to letting more time circulate around the determinations made on public policy matters.

All members don't want to speak on all items. You might well observe this afternoon, Mr Speaker, that there doesn't appear to be a great amount of interest in the current debate, and that's okay.

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): Where are all your colleagues, Murray?

Mr Elston: All my friends are here. It's pretty interesting to note that most people are resigned to the fact that there are but two hours to spend on this issue, and basically they're off doing other important things. And there will be other important things to do. Heaven knows we all get telephone calls, we all get letters, and all of that is important.

But the more and more that we press this place into some kind of stopwatch-type activity, a rubber-stamping of the executive council's determinations, the more irrelevant this place gets and the more difficult it gets to convince the people who elect us that there is something real being done here.

It's very distracting to see the way things have changed since I came here in 1981. There was one change which I was quite in support of: The move by the Liberals to government in 1985 seemed to be a very important and positive step, but other than that, a couple of other problems, it seems to me, now appear.

One of those problems is that this place is not used in the same manner for good debate. It is not used in a manner which allows us to exchange back and forth, by way of examination, ideas on whether the public policy is good or bad. Sometimes our speeches are not that particularly good, but in most cases when a person stands up here it is to put forward an idea he or she has that may assist in making the public policy work a little bit better.

The second problem that has come is that the more and more we advance the demise of this place as a debating institution, as a place where the public can come to put their cause, the more we see that there is very little interest actually in this chamber. The interest is now

focused only on the members of the executive council, and heaven knows they need a little bit of interest expressed in all the work they do. I understand that; you understand it.

The interest is in my colleague, my friend the Minister of Consumer and Commercial Relations and the people she deals with as advocates, the Ontario Jockey Club, for instance, or the people who deal with gambling, but the results of the work here, the work that is done on behalf of the people of this province, is largely ignored, with the exception of the digested version of the input the minister has received and the pointed views of the advocates whose points have been rejected or otherwise. The debating, as a result, doesn't occur around here so much as it occurs around the boardrooms in her offices.

It's not a problem. That has always been the case, that the executive council member has had the responsibility for initiating these types of debate. But for the broadest public interest to be raised in the issues, that public debate has then been repeated at least in some measure in this forum, where we have Hansard, now electronically recorded with the assistance of handwritten notes, but it is recorded so that everybody can understand what has gone on. Now all we understand that is coming out of the deliberations at the minister's office are her version and her views of what is good for the public and some views as expressed through newspapers or through faxes or letters or telephone calls to our offices as independent members of what their view or version of the facts is. The broader public deserves, in my view, this forum to take a much more active role in that debate.

1600

Mr Speaker, I'll sit down now and leave those words for your speculation, for your thoughts, because I really believe that there are a couple of very serious problems which imperil a continued, vital existence of this chamber as a good place to debate public issues. The more contentious the issue, the less time we're given. The more contentious the issue, the fewer people from the public we hear from in our committees. It seems that is running exactly contrary to what we should be doing. The more important the issues, it seems to me they shouldn't be being decided by debate from 10 o'clock till 12 o'clock; that if we normally sit from 1:30 till 6, that's the time our business ought to be done, that we ought to be assuring everybody that their public issues will be considered during the light of day as well.

While the world grows tired of our onerous responsibilities, we should look forward to sitting till 12 of the clock for the next eight working days. For those of us who will be here monitoring that, it will be, I'm sure, a very happy and most lucid debate around some of the most important issues. And I'm very serious about the issues, because 160's important, 174 is an important bill and several of the others are as well. I just hope that the people get their money's worth in our consideration of those bills as they come before us.

Mr David Tilson (Dufferin-Peel): This motion is to authorize the government to, for the next two weeks, extend the days that we sit in this place from 6 o'clock until 12 midnight.

Mr Anthony Perruzza (Downsview): I know you wanted to do that to get a little overtime.

Mr Tilson: Well, I'll tell you, I, as you, sir, have been sitting in this place since 1990 and it's getting more and more difficult to understand the workings of this place, even from day to day on the order paper.

Mr Elston: Getting older, not wiser.

Mr Tilson: I get concerned even from day to day looking at the order paper, the topics we're going to discuss on each given day, and most of the time that changes almost within five minutes. A very strange place, and if any business were run like this place, it wouldn't survive.

The rules of this place, specifically the standing orders that authorize this motion, start on page 6 of the standing orders with order number 6 and go through a number of pages. But the main one we're dealing with today is with respect to the sixth order.

A calendar is set forth, that we're to sit for a certain period of time, and it's done because presumably we can do the business of this place. Yet it seems, going back to 1990, every time a session ends, for some unearthly reason we extend the hours. If you read the order that talks about these extended hours, it's discretionary, in other words, the word "may" is used, and yet it seems to be the order of the day.

Mr Chris Stockwell (Etobicoke West): Shall.

Mr Tilson: He's right. We might as well change the word "may" to "shall" because it's happened every time, which means we can't do the work in this place unless we sit for at least two weeks from 6 o'clock until midnight to deal with a number of pieces of legislation, more pieces of legislation than are dealt with normally. I, for one, want a sufficient amount of time to debate on different bills that come to this place, and I think we all do. Yet I think we're short-changed when we start to ram through pieces of legislation from 6 o'clock until midnight.

I look at the overall process and whose fault that is. It may be all our fault for allowing these rules to come about, because we never seem to know from one moment to the next what we're doing, what we're debating; even a piece of draft documentation—at least it's entitled "draft"—which indicates the pieces of legislation that are being proposed, presumably by the government House leader, to be debated in the next two weeks. I'll get into those in a moment.

When you start looking at what we do as provincial members of the Legislature, many of us have to do things back in our ridings. Many of us can't because of the long distances that are required, but I live about an hour and a half to two hours' drive to my riding and occasionally I go back to my riding and I partake in events at night.

Mr Perruzza: It takes me an hour, and I do it every day.

Mr Tilson: And you're a good guy for that too.

I'm simply saying that we've got other events to do. We have committees. Someone coming to this place right now, for example, would see very few members sitting in this House, and the reason is that we're all in committees.

Yet all of a sudden the pace of passing bills is going to accelerate. We're going to be putting through more and more pieces of legislation in the next two weeks. I don't think that's a good way of doing business. We should be able to debate for and against pieces of legislation. For example, the long-term care bill is set for Wednesday, the 15th, and three hours is being set. That's for second reading. Long-term care: three hours.

The rules of this place enable the critics from each opposition party to debate, and I suppose the minister technically could come up and speak for an hour and a half, but that rarely happens. Generally speaking, the critic of each of the parties speaks for an hour and a half. Particularly on this piece of legislation, the long-term care legislation, I cannot believe that the Liberal critic and the Progressive Conservative critic won't take an hour and a half each to debate that bill. Well, that adds up to three hours, which means that the rest of us—and I realize this is a draft document and hopefully the House leader will come to his senses and change this draft, but the way it's scheduled now, long-term care is scheduled for three hours on Wednesday. That means two people in this House will debate long-term care. Many of us on all sides of this House want to debate that issue, yet we'll be precluded because of this resolution.

The way things are thrown at us all of a sudden by the House leader—it may well be that others know, but I had no idea that, for example, the time allocation with respect to the farm legislation, the unionization of the farm, was going to be sprung on us the way it was. I also didn't know why. I didn't know why when all kinds of people in my riding, a semirural riding, want to discuss these issues. We're not going to have any committees discussing that.

As a result of that time allocation motion, we're going to have one hour in committee of the whole, in which case I understand there are a number of amendments that are going to be put forward—one hour. Then on third reading we're going to have another hour, and that's it, that's the end of it. There will be no travelling around the province on a bill such as this, a bill which cries out to have people heard. The various agricultural organizations in this province will not have an opportunity to voice their views. That's the end of it.

I look at that and I look at these other pieces of legislation. Tonight, for example, if all goes the way it should, and generally it doesn't, Bill 160, which is a budget measures bill, is going to be debated this evening. It has a whole bunch of things that people want to speak about, yet I see it that we're being allowed to debate that tonight and that's it, and many of us wanted to speak.

As the member for Bruce commented earlier, that's the trick of this government: to put a whole group of measures into a piece of legislation, some of which we in the opposition may be in favour of, most of which we're opposed to. But the point is, we do not have an adequate time to debate it. In this particular motion that we have before us tonight, it is deemed—and I suspect the government House leader's going to be most annoyed if we are not able to finish off Bill 160 tonight.

But who says? Why, when you get these various

contentious issues, should we not be allowed to debate those issues? Why? Why shut us down? Why shut members of the government down? Why shut members of the opposition down? If we want to speak on these various contentious issues, particularly when there's a number of them in these omnibus bills, we should be allowed to speak.

1610

Tomorrow, it's scheduled in this little agenda that's been put to us—and I suppose that could change as of five minutes from now, if it hasn't already. But tomorrow at least, in the draft documentation that's been given to me, we're going to have committee of the whole on the retail sales tax, Bill 138. Then we're going to have private bills; that probably won't take too long. But then we're going to talk about Bill 165, which is amendments to the workers' compensation legislation and also deals with the Occupational Health and Safety Act. That is a very contentious piece of legislation. You may be in support of it, you may be opposed to it, but why would so little time be allowed to debate that legislation? That's for second reading.

Normally in this place when you have pieces of legislation such as this, we're allowed to go on for a considerable period of time, more speakers than not. For example, I can't believe the Liberal Party critic isn't going to spend an hour and a half on that. I can't believe the Progressive Conservative critic isn't going to spend an hour and a half on that. That's three hours. If you subtract that from the amount of hours that are being allocated, we'll have very little time to debate a very contentious bill.

Then we get into Wednesday, and there's a whole slew. I've already mentioned the long-term care legislation, which the two critics alone will spend three hours on. There are only so many hours in each day. Then we've got third reading to a number of other pieces of legislation. We've got the employer health tax, which I have spoken on at second reading and had hoped to be able to speak on at third reading, because I think it has a major effect on the financial operations of our health system and with respect to the business community, the deductions that employers are being obliged to make, and it's unfair. But we won't have an opportunity to do that because, as well, Bill 138, third reading, which is the retail sales tax; Bill 146, which is—and these are all budget bills, but they are all contentious and we all should have the right to debate those—the Corporations Tax Act; Bill 113, which is the Liquor Control Act. This is all for one day. This is all from roughly 3 o'clock to 12 o'clock at night. Then, of course, we're going to have Bill 161, which I think is revenue and has to do with the Liquor Licence Act, second reading for that.

Mr Perruzza: The best debates happen when we're working overtime.

Mr Tilson: Well, you can come forward with smart heckles. I'm simply saying to the members of this place that we be given sufficient time to debate these pieces of legislation. It's as if we take the number of pieces of legislation that this government wants to pass on its agenda when it starts each session, and then it crams

them all into the final two weeks.

There is a certain amount of time in which we as members in this place, for or against, would like to consult with our constituents. We would like to meet with people to talk about whether they're for or against pieces of legislation. When you ram all this stuff into two weeks, sitting from roughly 3 o'clock or 3:30 to 12 midnight, how in the world can we as members of this Legislature properly do our job, which means consulting with our constituents to find out whether we should be opposing this legislation or speaking in favour of it? We don't even have time to do that. It simply doesn't make sense.

So that's what going to happen Wednesday.

Thursday, there are scheduled two pieces of legislation: most contentious, most important pieces of legislation. There will be what I assume is a second reading of Bill 163, which is a number of the implementations of Mr Sewell's recommendations on the Ontario Planning and Development Act and Municipal Conflict of Interest Act. Again, there's a lot of omnibus things in that piece of legislation. Some of us may be in favour of them, but I know darn well there are going to be a number of us who are opposed to others. I think we all like time to debate on those things. In fact, I would like time to debate on each individual item. The trouble is that the government's putting a number of these issues into one bill, which precludes me, from the time that's allowed under the rules of this place—unless you're a critic, you're allowed half an hour to speak—to properly debate those various pieces of legislation.

Then finally, on the committee of the whole for the tobacco bill, Bill 119, the way I assess this place, I think that generally speaking the majority this House will be in support of that legislation, but many of us have concerns and wish to speak on it.

All of these things, these two issues are, if you look at Bill 163, more than one just one issue. There are a whole number of issues, again, being crammed into, according to this note, nine hours. We have a number of people in this place who would like to debate it and they're going to be precluded the right of debating it.

Then next week we look at what the House leader has planned for Monday: second reading of the forestry legislation, which is the Crown Timber Act. Again, the critics can kill three hours. I don't mean "kill"; I mean, take up three hours. They have an obligation to and they have a right to provide their party's position on these various pieces of legislation. There will be third reading of Bill 134, which is the credit unions act, another contentious piece of legislation. This is all one day.

Then there's Bill 91 of course, and that's already been settled. That's going to be committee of the whole. There's only one hour there. The government's fixed that one. They fixed that one earlier last week when they decided through time allocation that we would simply be allowed one hour for committee of the whole and one hour for third reading. That's all.

On the unionization of the farm, I can't believe I'm saying it, I can't believe that somebody's even thought this up, but we won't have a time to debate it. Worse yet,

we won't have the right to go out into the country—when I say "the country," outside of Toronto, outside of Queen's Park—to hear what the people of this province want to say on that piece of legislation. We won't have that right and the people outside of Toronto won't have the right to make their submissions. It's all over. The member for Bruce is quite right when he says that the rules need to be changed.

We get into the Courts of Justice Act, which is Bill 136. I think, generally speaking, that will carry. But then we get into the Ontario Loan Act, second reading of the loan act, which is an Act to authorize borrowing on the credit of the Consolidated Revenue Fund, which is always interesting, particularly with the whole borrowing issue of this province.

I was going to run down the rest of the days, but we're even precluded from debating this issue. I can't even adequately debate this issue as to why I think the whole process is faulty, because there's a limited amount of time and all members of my caucus and other members of this place wish to speak. I can say that this resolution, this process is unfair and quite frankly precludes me the right to properly represent my constituents and put forward the views of my constituents in a way that I think is adequate and that needs to be done.

1620

Mr David Turnbull (York Mills): I'm pleased to rise on this motion today which allows the government to bring in extended hours in the last two weeks of each session. As has previously been mentioned, it seems quite apparent that the government should read the House rules as "should" bring in this motion rather than "may." The fact is, here's a government that doesn't listen to the opposition in any shape or form. I suppose that probably, to some degree, all members of all parties who've been here in opposition have had the same complaint about the government of the day. But the fact remains that other governments have not closed down debate as often as this government.

I took the trouble of looking out how many time allocation motions this government has made in its three and a half years in office—coming up soon it will be four years—and in that time it has made 16 time allocation motions. That compares with the previous government which had four in its five years in office, and then the Conservatives before that, going all the way back to 1982, had three. Three for the Conservatives compared with 16 for this NDP government.

This is a government which really does not like the opposition, and the opposition, let us remind you, is the people who represent the 62.2% of the electorate who voted in the last election but didn't vote for the government.

The way that our system of government works with first past the post, they legitimately have a majority, and I'm not denying that for a moment, but there is a requirement for the government, particularly a majority government, to acknowledge and accept the legitimate right of opposition parties to be able to represent the spectrum of opinion that exists other than the party that was elected to govern. When we have 16 time allocations, we have to

seriously question the interest in the government in letting this expression come forward.

I'll just go back to the last time allocation motion, which was on June 8 of this year, and that was on agricultural labour relations where they allowed one hour for committee of the whole and one hour for third reading of a bill, a very controversial bill, a bill that was widely reviled by the agricultural community.

We go back to April 19, Bill 120, which was the residential property bill, and we had one hour for third reading of that bill and one sessional day for committee of the whole. I would say on that issue that there had been a standing committee examining that bill, and there were an enormous number of amendments brought by the opposition parties and in fact by the government, and yet they had hardly scratched the surface of the amendments but the government decided that it was going to have time allocation, and one sessional day for the rest of those amendments, and then they were ruled to have been read and were voted on, even though there was no debate about them.

We go back. We've got the Ottawa-Carleton act, once again one hour for third reading; Bill 79, the Employment Equity Act, two hours for third reading; Bill 80, construction labour relations, two hours; Bill 100, regulated health, two hours, and so it goes, the casino, photo-radar, social contract, OTAB and 164, insurance.

Mr Stockwell: And the beat goes on.

Mr Turnbull: As my colleague says, the beat goes on.

The fact is that Parliament doesn't work very well. You only have to look at some of the controversial bills the government brings in and look at the fact that there is absolutely no opportunity for opposition parties to be able to have their views reasonably expressed.

I suppose one could demonstrate and do all kinds of outrageous things, but the interesting thing is that this is the government which changed the House rules so there are very few blocking tactics used.

Mr Wiseman: Yes, we followed your federal example.

Mr Turnbull: No. As a matter of fact, you started it.

Let's just have a look at one of the first events that we saw in this erosion of democracy. There was a change by this government to reduce the amount of debate from an unlimited debate, which had a way of working its way out—the majority of bills didn't have a lot of discussion but controversial bills were under great scrutiny—but this government changed it so that the lead speaker for the opposition parties would have 90 minutes of debate, and then all of the other members 30 minutes. That isn't very satisfactory when you have something of a substantive nature.

Now, Mr Speaker, as you well know, the vast majority of members have no desire to speak longer than half an hour, but there are times when there is a pressing need to put certain things on the record. But this government has said, "No, 30 minutes are enough."

They've also turned the committee system into a joke, where ministers typically do not attend for the introduc-

tion of their bills, do not defend their bills. I have been at committee hearings where there have been highly controversial bills and the minister hasn't turned up at all, they've sent their parliamentary assistant, which brings me to the question of question period.

Having discussed the debate process within question period, the attendance of the ministers of this government is appalling. This Premier pretends that he has reduced the size of government by reducing the number of ministries. What he doesn't say is we have more ministers but less ministries. What they did was, they took the number of ministers they had before, and there were a lot of them falling by the wayside who weren't managing to do their jobs, so he made them into ministers without portfolio, whatever the new term was that he coined for this, and basically it was a minister with a chauffeur and a limo and a credit card but nothing else to do.

You would expect that during question period, if the minister who had portfolio could not attend, then the minister without portfolio attached to that minister should at least be here to answer questions. But that doesn't happen. By some strange coincidence, whenever the minister is absent, the minister without portfolio—you know, the one with the credit card and the chauffeur-driven limousine—cannot attend either. It shows that they have a lot to hide from or, alternatively, they have incredibly bad day-timers so they get confused as to the fact that the minister's not going to be there.

We have these ministers, one more minister than we had before—but the government says they've reduced the number of ministries—still spending on their credit cards and not attending during question period. It leaves a member of the opposition questioning, really, what do we do here? It takes me back to just shortly before the last election when somebody had suggested that I run and I decided to come here and sit and watch—

Mr Perruzza: On a point of order, Mr Speaker: In looking at the rules, the member referred to the attendance in this place of ministers. I can tell him that I sit here every day and—

The Deputy Speaker: That's not a point of order. Please.

Mr Perruzza: Well, it is. It's in the rule book.

The Deputy Speaker: No, no, this is not a point of order. The member for York Mills.

Mr Turnbull: That's an interesting interjection. We've got a two-hour time period to debate this motion and the most that the member for—

Mr Stockwell: Downsview.

Mr Turnbull: —Downsview can bring—

Mr Stockwell: Or Yorkview.

Mr Turnbull: Or Yorkview, whatever. They're interchangeable, I guess. The most he can bring to this debate is the fact that I've commented on the poor attendance of ministers. I didn't name any of them. I just said that the poor attendance of ministers leaves the opposition in the difficult position of not being able to ask questions, and the number of times that we find ourselves having to reschedule at the last moment because a minister isn't attending is scandalous. As I say, they

could send their minister without portfolio, the one with the credit card and the chauffeur-driven limousine, but they don't see fit to do that.

This government has limited the amount of debate time. They have—

Mr Perruzza: On a point of order, Mr Speaker: The member is impugning the motives and the responsibilities of the junior ministers.

The Deputy Speaker: Please take your seat.

Mr Perruzza: I would like to know that—

The Deputy Speaker: Please take your seat before I ask you to leave.

Mr Perruzza: That's what I'd like to know. No foaming at the mouth.

The Deputy Speaker: The member for York Mills.

Mr Turnbull: It certainly raises the suggestion that perhaps we should contract for the listening skills course for the members of the government, because if the member had paid careful attention, he would have heard that when the ministers were not there, neither were the ministers without portfolio. Get somebody to read Hansard to you tomorrow and you'll maybe understand the point I've just made.

1630

Let's just look at some of the things the government has done where there should have been a debate but there wasn't a debate, like the awarding of the 407 contract. We were told by this government that it was going to award the biggest contract in roadbuilding history in this province, for \$1 billion, and it was going to do it a new way.

Instead of the normal tendering process, which has been in place since the 1950s, a process that was put in place to make sure everything was absolutely aboveboard and clear, what did this government do? They said, "We can't have the normal opening up of tenders in public. We've got to put together consortiums, because these are the only people who would be able to raise \$1 billion to build this road," because it was going to be private sector funding.

Guess what? At the last moment, they changed their mind. They said, "Government can raise money at a better rate than the private sector." If that's what it takes for government to understand that, we'll come over and read to them each day to explain how this works. As you may have gathered, we're quite keen to form the next government and we believe we would do a competent job of it, and we're happy to share our knowledge now.

The fact is that the government suddenly arrived at this decision about two or three weeks before it awarded the contract, after many contractors had been turned away. "No, you can't tender for a piece of this road. You've got to be in a consortium, because you couldn't raise the \$1 billion."

That would be a useful debate for us to have, but we're not allowed to do that. Instead we have a timetable of what is going to be debated during this last two weeks, where we're going to midnight sittings, and we have absolutely nothing relating to the awarding of this huge

contract, which at the very least I would suggest smells a little bit, from the perspective of the private sector.

We're not having enough budget debate. We're in the peculiar position, and you may recall that I made a lengthy point of privilege on this matter a few weeks ago, and I know it took some three weeks for the Speaker to rule on the matter, but we had the peculiar circumstance that we had two budgets before us for debate. We'd never had a vote on either of them. Having arrived at the situation that now we have two budgets before us with no vote being taken, you have to start questioning the erosion of the political process.

In debating this motion today, we're not suggesting that we should work less hours. We're saying that the hours we work should be more meaningful and it should be issues that allow the public's concern about the runaway debt of this province to be adequately expressed so that the opposition members, who represent the 62.2% of voters who didn't vote for these wretches across the floor, have their opinion heard. But that isn't what we're talking about now. We're talking about pushing the government's lunatic agenda through in these last two weeks.

I just thought I would contribute that little diatribe to the debate.

Mr Gary Carr (Oakville South): I'm pleased to enter the debate. I'll be very short. I understand there are some other people who want to speak.

Up till now I wish we'd had some debate here in this Legislature. I want to say that since I've been here we've continued to have a runup to the night sittings. We sit and do nothing for the few weeks until the bill comes through and then we rush through here and then the debates come through at midnight when no one is around.

I look at the bills that are put together, the famous omnibus Bill 160 that has been put together. For the last three or four weeks that we've been here, we have done virtually nothing. We are not talking about what is important to the people of this province.

I had wanted to get up and talk about some of the big issues of the day, the taxation, the government spending, to talk about some of our solutions in the Common Sense Revolution, some of the things that we've put together over a period of time to help improve the job situation. We don't get any chance to do that. Then, at the very end, we rush through with these night sittings, where we have the debates late at night and where all the individuals involved don't get a chance to hear what we're saying.

I want to tell you, I've become discouraged since I've been in this Legislature, when I see exactly what goes on here. There are so many problems. We have, right now, the taxation issues that are killing this province; we have high government spending; we have overregulation. When I look at the bills that have come through here, none of the bills here are relevant to the average person. I suspect, if you ask the average person, with the exception of maybe last week where there were some issues that people will remember, there aren't too many people who could even remember what we were debating here.

The reason I'm concerned with that is, what we are dealing with in this House so often is irrelevant to the people of this province. With all the problems we've got out there—the 500,000 people who are jobless, the 1.2 million people on social assistance, the health care problems, the problems in education—we see over the last little while this government has not dealt with any of these major issues. In many respects I'm pleased that has happened, because with some of the crazy ideas that they had when they were opposition, as I've said all along, if they do nothing it'll be better than some of the crazy things that they've wanted to implement over the last little while.

But even the budget had no vision of where they want to go. They're basically in a holding pattern, waiting until the next election to be defeated. There is no agenda left for this government. They have no vision of where they're going to go. The Premier of this province, who I give the responsibility for the major problems, has no agenda of where he wants to go and to take this province in the last year of his mandate. He's the one, in my estimation, who has botched this whole situation.

Here we are at the end of the session now and we're going to rush through all these bills. This Bill 160 is a very substantial piece of legislation, and instead of having debate over the last little while on this, it gets rushed through in the last wee hours before it has to be tabled and no longer will be valid for debate. I want to talk very quickly about that bill, because I want the people to understand some of the major changes that are put together.

Instead of having debate over the session the way we should have done it, legitimate debate on all these bills, what we simply do is throw them all together in the last minute. This bill deals with 17 different statutes. It deals with the corporate filing fee. My colleague from Wellington and I spent a great deal of time going across this province on our small business task force, and people are angry, they are frustrated and they are discouraged with this government not listening to them. One of the big things they're upset about is the corporate filing fee. People see that as nothing but a blatant tax grab. The anxiety and the feelings out there of the people towards this government are unparalleled. I have never seen people as angry and as upset with this government.

I suspect the members opposite know that, having gone back to their ridings, and here they table this bill, throw everything in together so that we can't have legitimate debate on it. It changes the method of allocating education and property taxes paid out by the public and private sector corporations. That's very substantial in terms of the education funding. Why did we need to leave it until the very end of the session before we dealt with something as important as that?

This particular bill will also deal with the employer health tax. It will give a tax holiday. Before the last budget, we called for that, and for that we're pleased that this government is at least listening, and we put that together in our Common Sense Revolution plan of what we would like to see. We're pleased to see it, but they wrap it up in this big omnibus bill and put it through in

the last wee hours of this legislative sitting, with no chance for public debate on these very pressing issues.

There'll be major amendments to the Loan and Trust Corporations Act that will happen in this bill. There'll be the creation of the dedicated fine surcharge to finance victims' assistance fund accounts, something we've been calling for for two years. But this gets all lumped together in what is called the Budget Measures Act.

One of the concerns I have about this government and the process, putting aside even what they're doing and debating on the issue, is the whole process. We have spent the last three weeks dealing with issues that I believe are not relevant to the people of this province. Then at the very end we throw this one bill together and they say: "Time's running out. We don't want to sit over the summer. The big reason is, we don't want to face question period every day about our record, so we want to wrap up the end of the session. We have nothing of any substance in terms of agenda, so we'll throw everything together in one big bill and try to get it pushed through without debate."

1640

I don't blame a lot of the government members, even the cabinet ministers, for this. I think what has happened is that we've got a lot of bureaucrats who at the very last minute are saying: "Hey, wait a minute. We've got to get some of these things through, and here's how we'll do it."

I don't think it is right. I don't think it is right for the people of this province to not have debate on these issues. I know the members opposite think some of the debates aren't helpful, and while we aren't maybe as constructive all the time as we could be, in most cases our staff and ourselves spend a great deal of time preparing to put some of this information forward on behalf of the various groups that come to us, because they don't just lobby the government. When we debate on these bills, it's because we believe a lot of the things that may be brought forward are wrong, and that's the process to make these bills better. This whole process of having these late-night sittings where we cram everything through at the last minute is not right for the people of this province.

In addition to that, I also believe one of the problems that come about as a result of this is that we don't have any process. What we're told is that if we debate too long on any of these bills, we'll stay longer in the summer and we won't recess early. Quite frankly, that doesn't matter too much to the members of the opposition, because we aren't the ones who take the flak every day in question period.

Now we're going to have on Bill 160, as a result of the changes, about 30 minutes to speak on a bill that changes 17 statutes here in the province. We can't even get into a legitimate debate in the 30 minutes we have on a bill as big as this. One of the reasons is because this government has totally mismanaged this House from day one. This House doesn't work unless there's cooperation, and I believe the government has set the agenda right off the bat and created so much hostility in this place that it's made it very, very difficult for us to have debate.

What are we going to get on these night sittings, the reason we're debating this motion right now? We're going to get six hours extra a day for eight days to try to cram things through at the last minute. Now we're going to crunch everything through in two minutes, and all because this government has mismanaged its mandate in this House.

I had wanted, over the past little while, to talk about some of the concerns out there on behalf of the constituents of Oakville South and the Burlington portion of my riding, because people are suffering out there. My friends, I really believe this does not have to be. The problems out there are not so great that if we had the right type of plan, a real vision and the type of strong leadership we need in this province, we couldn't turn it around.

I wanted to get into some of the things that I believe the people want to talk about, the tax issue being number one. Right now we're one of the highest-taxed jurisdictions in all of North America. Our plan for the Common Sense Revolution is we're going to cut the provincial income tax rate by 30%. It will give us the lowest income tax rate here in Canada and take us back to levels not seen since 1976. We're going to get no occasion in this Legislature to debate an issue which I think is at the forefront of what people are concerned about. We are not going to get any time to debate our ideas and strategies on what needs to be done.

We have not had a debate on the budget in many years. Everything has been pushed through. We spent a great deal of time on the finance and economic committee putting together minority reports that nobody reads, and we don't even get a chance to throw ideas forward. You might not always like them, but I believe the House is the place where we should be able to articulate our ideas and put them forward on behalf of our constituents.

Some of them you actually do listen to. As to some of the things we called for in our first New Directions period in terms of cutting back on the spending, had you listened to us in 1990 we wouldn't have had to go through the problems we went through with the social contract. You spent and you taxed and you borrowed like there was no tomorrow, and we told you in 1990 it shouldn't be done.

So some of the things we bring forward are the result of some constructive and dedicated people putting their minds together. In our Common Sense Revolution, we have laid out a plan to cut 20% of non-priority spending. We're going to exclude health care, in-classroom funding and law enforcement. We list right through, from page 13 all the way through, where the cuts would be made. We talk about cutting the bureaucracy. We talk about cutting MPPs, getting rid of pensions. We talk about major welfare reform. I submit to you, on pages 10 and 11 of our Common Sense Revolution document, there are more facts and figures on what needs to be done for social assistance and the welfare system in Ontario than have ever been brought forward. We did it in a constructive manner. We don't suspect you're going to like everything we put in there, but we did it in order to make some of the changes we've been hearing about.

But there's going to be no debate on that. There's

going to be no debate on the welfare system or social assistance here in this Legislature, even though now it's gone to \$6.2 billion. One in nine people in the province is now on some form of social assistance, and we will have no debate on it in the Legislature.

Mr Wiseman: Yeah, thanks to Tory federal policies.

Mr Carr: I say to my friend the member for Durham West, the things we've put together here are things you might not agree with, but we spent a great deal of time putting together our plan.

We also talk a bit about education reform. We did that in our document called New Directions, Volume Two: A Blueprint for Learning in Ontario. We talk about trustees. We talk about tuition fees. We talk about junior kindergarten. We talk about the number of school years. We talk about scrapping the Jobs Ontario Training program. We talk about cutting subsidies to businesses in the provinces. We talk about tax cuts. We talk about reform in housing. We talk about reform to legal aid. None of that gets debated in this Legislature. In total, we have cut about \$6 billion in non-priority spending in Ontario.

When cuts come about, they're never debated in this House. What happens is that the Treasurer gets his deficit forecast and runs back and tells all the ministries to cut whatever percentage it takes to get the deficit to stay around \$10 billion, and there is no debate on the floor of this Legislature about what should be done.

Instead, we are debating some of these other crazy bills we've debated over the last few weeks in this House. I want to tell you, this place—and we're all to blame—is out of touch with what the average person out there wants and expects from this Legislature.

The people on this side of the House have continually told you, as we go out and speak to the people on our small business task force, that the people out there are telling us what's important to them, and politicians in their wisdom come in and continue to push their own agenda. I've seen that over the last little while. It's little wonder that the people of this province are very upset and discouraged with this government.

The debates that will go on now on some of these bills I believe are important. The members of the government quite often don't pay too much attention to what the opposition has to say, but I tell you, in most cases we're attempting to be constructive in terms of putting forward some of our ideas and what we see needs to be done. There are days, when that happens and we put them forward and we get no response, that you wonder why you do all the work preparing ideas for this government, because it doesn't seem willing to listen.

On the motion to sit at night, most of the members will spend a lot more time away from their families down here in Toronto. I'm one of the fortunate ones who gets back at night, so I don't have too much of a problem compared to some of the members. But I say to the members of the government, this didn't have to happen. Had you managed properly, we could have been able to have some good, honest debate in this House, we could have had some bills passed and we could have got on with the business of the day. But typical of this govern-

ment, it mismanaged this House the way it's mismanaged this province.

The only good news is that as each session closes, we get one step closer to ending the great socialist experiment in the province of Ontario. It will end when the next election comes, and I'm going to be a part of ending that government.

The Acting Speaker (Mr Noble Villeneuve): Further debate?

Mr Stockwell: Split it.

Mr Steven W. Mahoney (Mississauga West): I will split it, but before I start, I think we should have a quorum, don't you, Mr Speaker?

The Acting Speaker: Is a quorum present?

Senior Clerk Assistant and Clerk of Journals (Mr Alex McFedries): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

1650

The Acting Speaker: A quorum is now present. The honourable member for Mississauga West may resume his participation in the debate.

Mr Mahoney: I think the public should understand a little bit about what's going on here. The government has a number of tactics, I guess you could call them strategies, that are available to any government when it's unable to get its agenda put forward. One of them we debated last week—closure, time allocation, whatever you like—and this government, as I pointed out, has used 14 closure motions since it was elected in 1990, which is unprecedented in number.

But another one they have used is to roll things into an omnibus bill, to take various issues that are not even related, in many cases, and put them into an omnibus bill. The bill we're going to be debating once we've finished talking about whether or not we should sit here until midnight—and I might add that I don't think the public has a lot of sympathy for the fact that we're going to be here till midnight, nor should they, but they should understand why. As to the bill we're going to be debating beginning at about 5:15 or 5:30, Bill 160, here's a list: There are 17 amendments or changes to legislation wrapped into one omnibus bill.

What that means is that issues like the Corporations Information Act, the Education Act, the Crown Timber Act, changes to the Employer Health Tax Act—it goes on and on—the Game and Fish Act, the Ontario Home Ownership Savings Plan Act, the Public Lands Act, the Retail Sales Tax Act, the Small Business Development Corporations Act, unclaimed property, the public service employees union act, 17 of these changes in one bill will not see the light of day unless the opposition members do what is our job, and that is to speak about each and every one of the 17 acts that will be amended, because the government won't speak to it, that's quite clear.

It's quite clear by their silence even in this debate, by not participating in this debate, that the government is just sitting there saying they've been given orders by the whip, they've been given orders by the government House leader: "Sit in there. Sit there as long as you have

to. It's okay if they don't have a quorum. You can sit in the other lobby and drink coffee and do whatever, return your phone calls. If they call a quorum, go on in and just fill the time."

The reality is that there are a lot of things that are very important that have not been dealt with by this government and now we're down to the last two weeks of the calendar. So what happens? They bring in a motion. You can roll your eyes if you want, but the reality is, you haven't dealt in the past couple of months with the issues that are of concern to the people in this province, so now you've got to jam it all in, be here till 12 o'clock at night. You're not going to get the analysis of the issues that we should have. You refuse issues to go to committee when they should be going. Look at tomorrow. Probably the most—

Mr Sutherland: The Liberals did it.

Mr Mahoney: We did it twice, let me tell the member for Oxford who continually chirps. Why don't you speak? I don't understand this. Why do you sit there and just interject and chirp? Why don't you have the guts to get up and talk to the people in Oxford about bills that are of concern to them? Because you've been whipped, you've been given orders by the whip in your caucus just to go and try to disrupt the opposition, just chirp and do whatever you can, but don't put anything substantive on the floor.

We have two hours to debate. It's just like throwing two hours away, but we in opposition have such limited opportunities to bring the real issues to the people because you changed the rules when you got elected. You put limitations on the length of time people are allowed to speak. You brought in more closure motions than any government I can think of in recent history. So we have to use every opportunity we have to try to speak about the issues that are of concern to the people.

Tomorrow, we're going to deal, after we have—how many hours?—seven hours of debate on Bill 160, with this budget. I don't know if we're going to allow this to go to committee; I'm told we're not. I'm told that the House leader has decided that this budget debate—and you think about it, we've had two budgets passed in this place since you people took office—three, actually—without debate on any of the substantive measures in those budgets. It's fascinating. When you go to House leaders' and whips' meetings and you sit there and you go, "I've got a really novel idea. Why don't we have a debate on the budget? Wow, wouldn't that be bizarre?" they don't even do that. We don't even vote on the budget because the government just brings it in and does it. Everything is retroactive.

They've got the hammer. They shut us up. They close down debate. They close down meaningful opportunities at committees, whether it's on this bill, on Bill 160—think about the kinds of constructive things you might learn if you were to take 17 acts to the finance committee and invite people to come in and talk to you about them. I guess you don't want to hear from the public in the province of Ontario.

We had a debate last week on Bill 91, the agricultural bill. No, we're not going to take it to committee either,

even though farmers all across this province have asked you to take the bill to committee to allow them an opportunity to have input. You don't want to do that.

Tomorrow we're going to have a debate on Bill 165. Even though I don't agree with the Premier's—and you'll note tomorrow that it's not the Minister of Labour's reforms although technically he is the sponsor; it was the Premier who introduced the reforms in this place, usurping all powers and authorities vested with the Minister of Labour, virtually neutering the existing Minister of Labour and taking it unto his own bosom to impose on the people in this province. That's what the Premier did.

So we're going to have a debate on Bill 165 and I don't trust this government to put even that out to committee. We're going to have to ensure that we have our members here, that we man the barricades so we can ensure the proper debate takes place at committee in the intersession to allow for the business community, for the labour community, for advocates who work in workers' compensation, for injured workers, for everybody involved, to have an opportunity to have input.

Our party has been more open on changes to workers' compensation than this government could ever even think of being and we're going to have to be sure that we have, between the two caucuses over here, 12 people here at midnight so we can force that item to go to committee.

There are forestry items on the agenda; credit union items on the agenda; we talked about Bill 91; the OLRA; courts of justice. It's not like we haven't got a lot to do. Why are we here, with less than two weeks to go until this place is supposed to rise—we don't know if they're going to prorogue. Are they going to wind up the session? This could be the longest single session without a throne speech, without any kind of a message, unless we get lucky. I have a feeling that, just maybe, we're heading towards an election call in the fall.

Why would I think that? The Premier's never here; the Premier's out on the campaign trail. Today in this place there were 10 cabinet ministers—

Mr Sutherland: Where's Lyn McLeod?

Mr Mahoney: —you're the government—who weren't here. We have a process every day where—

Mr Sutherland: Oh, so Lyn McLeod can go out and campaign every day.

The Acting Speaker: Order.

Mr Mahoney: Quit chirping. Mr Speaker, I move for unanimous consent that the member for Oxford be given half an hour to speak to us in this place about what he really thinks. What do you think—unanimous consent?

Mr Stockwell: He won't need half an hour.

Mr Mahoney: He won't need half an hour; he couldn't fill half an hour. Don't just sit there and chirp. If you want to make a speech, I say to the View Brothers, to the member for Oxford, to any of the cabinet ministers who might like to decide to come to work in this place, go ahead. The people at home would love to hear from you, instead of having you muzzled by the Premier and the whip, which is exactly what's happening.

We've got tons of work to do around here. We've got

the Sewell commission. How about that? That's pretty important stuff. What's going to happen? On Thursday, they're going to set up eight hours of debate that'll go through to midnight on the Sewell commission. We think there need to be more committee hearings on that. We think we need to give an opportunity for municipal planners and politicians and the people at large to come in and comment on massive changes to the way things operate in our municipalities. No chance.

The tobacco debate? We think that's a huge issue. There's revenue bills. There's the—well, that one won't happen. They had scheduled some time for third reading on Bill 167. Fortunately, that bill was defeated, so that one's not going to come. We've found ourselves a little bit of opening in here.

1700

But it's really quite remarkable that this government always, in the way it has operated—and I agree with other speakers who said the good news is that we can see a light at the end of the tunnel. Hopefully, the Premier will have the courage to call an election, to go to the people. He's telling everybody in the press these days how you're all going to be re-elected. I've got to tell you something: Good luck to you. I think the ship is going down. The hole in the side of the Titanic is as big as it could be. You guys are in deep trouble. That is the only good news that we and the people of this province can look to.

I'm going to wrap up and allow my colleague in the third party to be, I think, the final speaker on this particular debate. Of course, we have no choice. They're going to go to midnight sittings. We'll be here manning the dike, so to speak, trying to stop these guys from putting through anything that can damage this province any more.

Mr Stockwell: It seems rather curious that a government that has major changes made during the initial period of this particular Legislature could absolutely botch up the legislative agenda as much as it has. They changed the speaking arrangements so members can speak for only half an hour, they changed it so that the leadoff speakers can speak for only an hour and a half, they changed it so there's far less participation from the opposite side of the House, in hopes of having more time so they could manage the agenda of the Legislature, so they could put through more legislation.

You know something? With this opportunity and a series of omnibus bills that they've brought forward that carry a number of pieces of legislation within them, they have in fact accomplished less than previous governments that worked under far more difficult standing orders with far fewer omnibus bills. The most telling sign of all is that even with the advantages that they've dealt themselves in this stacked deck of cards they're dealing from, even with those distinct advantages, they still have to move closure some 14 times during the life of this government, 10 times more than the previous government called for it, and I'm certain they're going to use it more as we come closer to the election some time next year.

What the legislative agenda really says to me and to a significant number of Ontarians is that they've botched it

and managed it much the same way they've managed the economy. The economy and the legislation and the debates that go on in this place have been so brutally manhandled and butchered that we have to sit late for two weeks at the end of every session and deal with probably the most important pieces of legislation that we deal with within that particular session.

I can say to you specifically, Mr Speaker, and I know across the floor are members who have some municipal experience—and I look to the member for Downsview, for example, who does have municipal experience, who knows full well that Sewell report is probably one of the biggest powder kegs that this government is dealing with, with respect.

Interjection.

Mr Stockwell: I say to the member for Oxford: Sir, you haven't got a clue what you're talking about. It is a complete and absolute usurping of the local municipal responsibility for the planning process.

Mr Gilles Bisson (Cochrane South): You don't know what you're talking about.

Mr Stockwell: The member from Cochrane says I don't know what I'm talking about, but I'll tell you, I think I do. I think the people who talk to me in the municipalities that are going to come under the plan of the Sewell report equally know what they're talking about. The absolute intrusion that this is going to make into the decision-making of duly elected politicians in local jurisdictions is absolutely, categorically uncalled for and absolutely intrusive.

That kind of piece of legislation, that kind of documentation put before this Legislature should have a long, wide hearing right around this province, because everybody from township to municipality to city is going to be affected by Mr Sewell's vision of Ontario—a vision, I might add, that is not particularly shared, in my opinion, by the vast majority of Ontarians or elected officials.

If you're going to bring in legislation like that, which changes the decision-making at municipal councils—which, I will add again, are duly elected—then you must at least have the responsibility to go out to those people and ask what they think of this legislation, how it will change the direction of their municipalities and how it will change the standards and lifestyles that they've chosen to live within in jurisdictions around this province.

The argument that this government has brought forward, the defence that this government has brought forward, the defence to that very understandably democratic approach is some eight hours of debate in this place after 3 o'clock when it is very unlikely you'll finally yourself with a quorum, let alone an insightful, topical debate that needs to take place, and that's one of the downsides to sitting late. I will say this: If I could guarantee myself that this government would stop moving closure motions, I'd sit late every week. Why? Because closure motions are the very thing that rides in the face of the democratic process.

Mr Stephen Owens (Scarborough Centre): It's easy to talk. Let's see you walk the walk.

Mr Stockwell: With respect to the Sewell report, when you bring down a piece of legislation as comprehensive and as far-reaching as this, I say to the member from Scarborough, who has limited experience in this field, then you should give the opportunity to those people who have experience in this field, give an opportunity to those people who have to meet with the constituents, who have to live under this kind of a jurisdiction, to tell you what's right about your piece of legislation and to tell you what's wrong.

When you don't give them that opportunity, when you allow for eight hours of public debate in this place, and you don't consult and you don't hear and you don't have them come in and tell you, then you end up with one thing: You end up with bad legislation.

I will say to you, Mr Speaker, and to this government, this Sewell report, in its present form, with its nebulous, less-than-clear recommendations is fundamentally flawed, bad legislation and you will hear it not just from me. You will hear this from local elected officials throughout this province, because it takes away their right and their obligation to represent the people who elected them. This is where the crunch comes. This is where I think the difference between this government and previous governments is coming to a head, right on this very point.

This government simply doesn't care what elected officials or citizens would like to make when they want to make comment on their legislation. They just don't care. And how do you know why they don't care?

Mr Owens: Because they've got all the answers, like the council of the city of York. They've got all the answers.

Mr Stockwell: The council of the city of York? What does that have to do with it?

Thé Acting Speaker: Order, please.

Mr Stockwell: It's an insightful point made by the member for Scarborough Centre. He was insightful as usual and I think you should give him time to speak; it will get us all votes on this side of the House.

What I will say is what it comes down to is this: When you write legislation like this and you don't consult with those people, it leaves the impression that you don't care. With a piece of legislation like this, with the debate that won't take place with this type of legislation, it just means that you've moved closure on us.

And you know what? It doesn't matter that you don't care what we think, because I know you think we're just being obstructionists and opposition, and I understand that. But when you stop caring about what people in this province think about your piece of legislation, what municipal elected officials think about your legislation, you end up writing bad legislation because all you have is your input and the input from a group of bureaucrats who don't have to live under the terms and conditions of this particular report.

We're debating today whether we should sit till 12 o'clock, and I will say I will support this just because we'll be allowed to have a good eight hours of debate on the Sewell report. But what I will say to this government is that this legislative agenda and what you've loaded on

with respect to the omnibus bill from the Minister of Finance, which is absolutely a travesty—17 separate pieces of legislation, very complicated, without airing, very difficult for the average citizen to understand—you've encapsulated in that one piece of legislation, an omnibus bill, you're going to have 17 pieces of legislation adopted within that bill and you're allowing a few hours of debate on such comprehensive, complicated legislation.

You see, you leave the impression again that you don't care, and if this side of the House decides to stand up and express the opinions of the people in this province that we've heard as we travel around this province, you become frustrated that you don't care so much that you move closure.

You can tell me that closure was a necessary part of your job. Closure may be necessary on a very important piece of legislation or on a select piece of legislation, but please, 14 closure motions since you've been elected? How do you defend that kind of bringing the hammer down on opposition and debate and full public hearings? I don't know how you can tell me that you can say it's important that we bring in 14 closure motions.

Mr Owens: What about reading every lake in Ontario?

Mr Stockwell: Mr Speaker, there's cackling from the other side of the House.

The sad part about it is, the real sad part about this is, we lose our opportunity to speak to pieces of legislation. The sad part about this is, when this House leader for the government side meets with our House leaders, the first thing this House leader says is, "I don't have anybody on my side who's going to speak."

What does that tell you? That tells you that you people across the floor, your rights are the first to go. You give up your rights at the very first meeting, because you're not allowed to speak to these pieces of legislation, and I'm certain, on the Sewell report, with the history in that caucus of municipal councillors and municipal educators, that you know full well there are some valued bits of information you could offer this Legislature. But you don't get to offer it, because the first sacrificial lamb is your opportunity to speak to legislation before your constituents and the people of this province.

Mark my words, backbenchers on that side of the House: We're not the only ones who lose by this. You lose, and ultimately the big loser—other than the member for Oxford, who wants to speak, I can tell, by his nature, but can't—is the people in the province of Ontario,

because legislation is passed without full public hearing, without full public airing of the issues, and people get bad legislation.

When you adopt these kinds of pieces of legislation, such as the Sewell report, you're going to discover how bad it is, because its support is practically none and the level of trust by the people who elect us drops dramatically, because when they want to make simple comment on thoughtful legislation, you shut them out.

The Acting Speaker: Mr Charlton has moved government notice of motion number 29.

Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members; a 15-minute bell.

The division bells rang from 1712 to 1727.

The Acting Speaker: We are now dealing with Mr Charlton's resolution to have this House sit beyond 6 o'clock.

Ayes

Abel, Allen, Bisson, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Duignan, Farnan, Frankford, Gigantes, Grier, Haec, Hampton, Hansen, Harrington, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Kormos, Lankin, Laughren, Lessard, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, McLean, Mills, Morrow, Murdock (Sudbury), O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rae, Rizzo, Silipo, Sutherland, Swarbrick, Ward, Wark-Martyn, Waters, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziemba.

The Acting Speaker: All those opposed to Mr Charlton's motion will please rise and be identified by the clerk.

Nays

Arnott, Beer, Carr, Chiarelli, Cunningham, Daigeler, Eddy, Elston, Eves, Fawcett, Grandmaitre, Harnick, Jackson, Johnson (Don Mills), Mahoney, Marland, McGuinty, Miclash, Morin, Murphy, O'Neil (Quinte), O'Neill (Ottawa-Rideau), Poirier, Poole, Ramsay, Ruprecht, Stockwell, Turnbull.

The Acting Speaker: The ayes are 62; the nays are 28. I declare the motion carried.

Report continues in volume B.

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

Administration of justice/Administration de la justice

Chair/Président: Rosario Marchese
Vice-Chair/Vice-Présidente: Margaret H. Harrington
Zanana L. Akande, Gilles Bisson, Robert Chiarelli,
Alvin Curling, Christel Haeck, Charles Harnick,
Gary Malkowski, Tim Murphy, David Tilson,
David Winninger
Clerk/Greffière: Donna Bryce

Estimates/Budgets des dépenses

Chair/Président: Cameron Jackson
Vice-Chair/Vice-Président: Ted Arnett
Donald Abel, Gary Carr, Noel Duignan, Murray J. Elston,
Derek Fletcher, Pat Hayes, Wayne Lessard,
Steven W. Mahoney, David Ramsay, Jim Wiseman
Clerk/Greffière: Tonia Grannum

Finance and economic affairs/

Finances et affaires économiques

Chair/Président: Paul R. Johnson
Vice-Chair/Vice-Président: Jim Wiseman
Elinor Caplan, Gary Carr, W. Donald Cousens,
Karen Haslam, Norm Jamison, Monte Kwinter,
Wayne Lessard, Irene Mathyssen, Gerry Phillips,
Kimble Sutherland
Clerk/Greffière: Lynn Mellor

General government/Affaires gouvernementales

Chair/Président: Michael A. Brown
Vice-Chair/Vice-Président: Hans Daigeler
Ted Arnett, George Dadamo, Bernard Grandmaître,
David Johnson, George Mammoliti, Gordon Mills,
Mark Morrow, Gregory S. Sorbara, Paul Wessenger,
Drummond White
Clerk/Greffier: Franco Carrozza

Government agencies/Organismes gouvernementaux

Chair/Présidente: Margaret Marland
Vice-Chair/Vice-Président: Allan K. McLean
James J. Bradley, Jenny Carter, John C. Cleary,
Alvin Curling, Robert Frankford, Margaret H. Harrington,
Gary Malkowski, George Mammoliti, Daniel Waters,
Elizabeth Witmer
Clerk/Greffière: Lynn Mellor

Legislative Assembly/Assemblée législative

Chair/Président: Ron Hansen
Vice-Chair/Vice-Président: Paul Wessenger
George Dadamo, Paul R. Johnson, Ellen MacKinnon,
Irene Mathyssen, Carman McClelland, Gilles E. Morin,
Norman W. Sterling, Barbara Sullivan, Kimble Sutherland,
Noble Villeneuve
Clerk/Greffière: Lisa Freedman

Ombudsman

Chair/Président: Tony Rizzo
Vice-Chair/Vice-Président: Gary Wilson
Donald Abel, Zanana L. Akande, Mike Cooper,
Karen Haslam, D. James Henderson, Tony Martin,
Frank Miclash, Bill Murdoch, David Ramsay,
Chris Stockwell
Clerk/Greffier: Todd Decker

Public accounts/Comptes publics

Chair/Président: Joseph Cordiano
Vice-Chair/Vice-Présidente: Dianne Poole
Gilles Bisson, Robert V. Callahan, Bruce Crozier,
Robert Frankford, Rosario Marchese, Margaret Marland,
Larry O'Connor, Stephen Owens, Anthony Perruzza,
David Tilson
Clerk/Greffier: Todd Decker

Regulations and private bills/

Règlements et projets de loi privés

Chair/Présidente: Christel Haeck
Vice-Chair/Vice-Présidente: Ellen MacKinnon
Ron Eddy, Derek Fletcher, Ron Hansen, Pat Hayes,
David Johnson, Leo Jordan, Gordon Mills, Hugh O'Neill,
Anthony Perruzza, Tony Ruprecht
Clerk/Greffière: Tonia Grannum

**Resources development/Développement des
ressources**

Chair/Président: Bob Huget
Vice-Chair/Vice-Président: Mike Cooper
Sean G. Conway, Joan M. Fawcett, Leo Jordan, Paul
Klopp, Sharon Murdock, Steven Offer, David Turnbull,
Daniel Waters, Gary Wilson, Len Wood
Clerk/Greffière: Tannis Manikel

Social development/Affaires sociales

Chair/Président: Charles Beer
Vice-Chair/Vice-Président: Ron Eddy
Jenny Carter, Dianne Cunningham, Randy R. Hope,
Tony Martin, Dalton McGuinty, Larry O'Connor,
Yvonne O'Neill, Stephen Owens, Tony Rizzo, Jim Wilson
Clerk/Greffier: Douglas Arnott

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

CONTENTS

Monday 13 June 1994

MEMBERS' STATEMENTS

Mandarin School	
Mr Curling	6811
Cheltenham Baptist Church	
Mr Tilson	6811
Canada Remembers exhibition	
Ms Carter	6811
Leader of the third party	
Mr Mahoney	6811
Forest industry	
Mr Hodgson	6812
Tax reform	
Mr Rizzo	6812
Hotel Dieu Hospital	
Mr Bradley	6812
Agriculture in northern Ontario	
Mr Villeneuve	6813
Optimist Club awards	
Mr Cooper	6813

ORAL QUESTIONS

Legal aid	
Mr Chiarelli	6814
Mrs Boyd	6814, 6818
Mr Harnick	6818
Youth employment	
Mr Offer	6815
Mr Laughren	6815
Mr Curling	6821
Mr Cooke	6821
Unclaimed property legislation	
Mr David Johnson	6816
Mr Laughren	6816
Insurance tax	
Mr David Johnson	6817
Mr Laughren	6817, 6818
Mr Offer	6818

Social assistance

Mr Fletcher	6819
Mr Silipo	6819
TV Ontario headquarters	
Mr Mahoney	6819
Mr Laughren	6819
Transportation study	
Mr Turnbull	6820
Mr Pouliot	6820
Income tax	
Mr Wessenger	6821
Mr Laughren	6821
Highway safety	
Mrs Cunningham	6822
Mr Pouliot	6822

PETITIONS

Motorcycle and snowmobile insurance	
Mr Daigeler	6822
Mr O'Connor	6823
Mr McLean	6824
Mr Sutherland	6824
Special services at home program	
Mr McLean	6823
Kettle Island bridge	
Mr Morin	6823
Sexual orientation	
Mrs Cunningham	6823, 6824
Mr Paul R. Johnson	6825
Mr McLean	6825
Casino gambling	
Mr Hansen	6823
Ms Poole	6824
Carabram	
Mr Callahan	6823
Health insurance	
Mr Henderson	6825
Tobacco packaging	
Mr Winninger	6825

REPORTS BY COMMITTEES

Standing committee on finance and economic affairs	
Mr Paul Johnson	6826
Report adopted	6826

FIRST READINGS

County of Lambton Act, 1994,	
Bill Pr113, <i>Mrs MacKinnon</i>	
Mrs MacKinnon	6826
Agreed to	6826
City of Scarborough Act (Smoking By-law), 1994, Bill Pr101,	
<i>Mr Frankford</i>	
Mr Frankford	6826
Agreed to	6826

GOVERNMENT MOTIONS

Extended hours of meeting,	
government notice of motion 29,	
<i>Mr Charlton</i>	
Mr Charlton	6826
Mr Elston	6826
Mr Tilson	6832
Mr Turnbull	6834
Mr Carr	6836
Mr Mahoney	6839
Mr Stockwell	6840
Agreed to	6842

OTHER BUSINESS

Security services	
Mr Murphy	6813
The Speaker	6813

Continued in volume B



No. 142B

N° 142B

ISSN 1180-2987

**Legislative Assembly
of Ontario**

Third Session, 35th Parliament

**Assemblée législative
de l'Ontario**

Troisième session, 35^e législature

**Official Report
of Debates
(Hansard)**

Monday 13 June 1994

**Journal
des débats
(Hansard)**

Lundi 13 juin 1994

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



50th anniversary

1944–1994

50^e anniversaire

Hansard is 50

Hansard reporting of complete sessions of the Legislative Assembly of Ontario began on 23 February 1944 with the 21st Parliament. A commemorative display may be viewed on the main floor of the Legislative Building.

Hansard on your computer

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. For a brochure describing the service, call 416-325-3942.

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-7411.

Subscriptions

Subscription information may be obtained from: Sessional Subscription Service, Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats a 50 ans

Le reportage des sessions intégrales de l'Assemblée législative de l'Ontario, fait par le Journal des débats, a commencé le 23 février 1944 avec la 21^e législature. Une exposition pour marquer cet événement est étalée au premier étage de l'Édifice du Parlement.

Le Journal des débats sur votre ordinateur

Le Journal des débats et d'autres documents de l'Assemblée législative pourront paraître sur l'écran de votre ordinateur personnel en quelques heures seulement après la séance. Pour obtenir une brochure décrivant le service, téléphoner au 416-325-3942.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-7411.

Abonnements

Pour les abonnements, veuillez prendre contact avec le Service d'abonnement parlementaire, Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311 ou, sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 13 June 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 13 juin 1994

Report continued from volume A.

1730

Hon Brian A. Charlton (Government House Leader): Just before my colleague moves second reading of Bill 160, the House leaders for the three parties I believe have reached an agreement that the Liberal Finance critic, the member for Scarborough-Agincourt, should be allowed to stand down his opening remarks on this bill until he arrives later this evening. I would ask the consent of the House to have that happen.

The Acting Speaker (Mr Noble Villeneuve): Do we have unanimous consent to stand down the member for Scarborough-Agincourt's participation in the debate? Agreed. We have consent.

BUDGET MEASURES ACT, 1994

LOI DE 1994 SUR LES MESURES BUDGÉTAIRES

Mr Sutherland, on behalf of Mr Laughren, moved second reading of the following bill:

Bill 160, An Act to amend certain Acts to provide for certain Measures referred to in the 1993 Budget and for other Measures referred to in the 1994 Budget and to make amendments to the Health Insurance Act respecting the Collection and Disclosure of Personal Information / Projet de loi 160, Loi modifiant des lois pour prévoir certaines mesures mentionnées dans le budget de 1993 et d'autres mesures mentionnées dans le budget de 1994 et modifiant la Loi sur l'assurance-santé en ce qui concerne la collecte et la divulgation de renseignements personnels.

The Acting Speaker (Mr Noble Villeneuve): Mr Sutherland has moved second reading. Does the honourable parliamentary assistant have some opening remarks?

Mr Kimble Sutherland (Oxford): It's a pleasure to rise and begin the debate on the Budget Measures Act, 1994. This bill includes amendments to certain acts to implement initiatives in the 1993 and 1994 Ontario budgets.

Recent news reports about Ontario's strengthening economy show that the government's plan is working. The 1994 budget initiatives are encouraging investment, creating jobs and helping our economy grow. The budget contained no new taxes and no tax increases. It cut taxes to encourage companies to hire new workers. It moved forward on major job-creating investments in highways and transit. For a second year in a row, the budget reduces both overall program spending and the deficit.

This bill implements some of the budget's key measures. Let me briefly highlight some of them.

The access to capital initiative will help small enterprises access the financing they need to grow and create jobs.

It amends the Co-operative Corporations Act to allow

both members and non-members of co-ops to purchase shares while preserving traditional democratic control by members.

It amends the Labour Sponsored Venture Capital Corporations Act to facilitate employee buyouts of the employer's business and to encourage the creation of venture capital funds which channel capital from individual investors into small and medium-sized business.

It also amends the Loan and Trust Corporations Act to allow loan and trust companies to undertake a broader range of business lending and investment.

The bill changes the employer health tax to encourage small and medium-sized businesses to hire more workers. Under the changes, businesses that hire new workers will not pay employer health tax on new workers for their first year on the job.

Many of Ontario's new high-quality jobs will come from companies that invest in research and development. With this bill, the government is also supporting businesses that are creating jobs in the new economy. To encourage and support companies that invest in R&D, the bill will allow an innovation tax credit.

To make school funding fairer, the bill amends the Education Act to divide non-residential assessment on the basis of the number of people served by each board. The bill also amends the Crown Timber Act to provide for using forest renewal trusts funded from stumpage fees as a step towards improved management of Ontario forests.

Amendments to the Financial Administration Act will dedicate certain transportation-related revenues to the Ontario Transportation Capital Corp for ongoing investment in the upkeep of public transportation systems.

The Unclaimed Intangible Property Act will safeguard the rights of owners by providing a recovery and distribution method for unclaimed property.

And through the Ontario Public Service Employees' Union Pension Act, 1994, the bill establishes a separate pension plan for union members.

Those are the main provisions of the bill we are debating. These are, as I said, some of the provisions coming out of the budget, and I'd like to just make a few comments about where we've been and where we're at.

Speaker, as you know and as all Ontarians know, Ontario has been through a very difficult period. We went through the worst recession since the 1930s. Government revenues were drastically impacted as a result of that. Revenues went down three years in a row, which also hadn't occurred since the 1930s, and we also have to take into account the shrinking support from the federal government.

This government could have shied away from that challenge, could have avoided that challenge. Instead, we

decided to try and deal with that challenge head on, and so we've done a lot of innovative things that in the long run are making this province far more competitive and far stronger and in a far better position to take advantage of the economic recovery that is occurring.

In the last couple of weeks, I've been extremely pleased to attend several events that are shining examples of that.

I was able to attend the opening of the new addition of Tavistock public school in the village of Tavistock in my riding. Those funds for that renovation came through Jobs Ontario Capital. The benefits of that project are tremendous, first of all, in terms of the jobs created for those working on the actual renovation. Second, Tavistock is a growing community. The school was built in 1967, and clearly, because of the increase in enrolment, they'd outgrown the existing facility. What we have now is a new facility that meets modern needs, has extra space in the school, more classrooms, a classroom for junior kindergarten so that can be expanded, a better gymnasium facility, better library facilities—and a community facility, might I add. In conjunction with the local board and members of the community, with strong parental support, they've developed a community facility.

So the community is a better place. It's going to be more attractive for people to want to move to the village of Tavistock, and those students going to Tavistock public school are going to receive a much better quality of education due to our capital investment. That's what it means by doing the right things about investing in capital appropriately to create a better community, a better quality of education and of course a better future for the province.

I740

I was also pleased to attend last week the official opening of the new John Labatt Visual Arts Centre at the University of Western Ontario. Let me tell you, I took a great deal of personal pride in being there at that opening. As you know, I was the president of student council at Western for a year. That is a project the university has been trying to get funding for for many years, and that did not occur. I even remember lobbying the Leader of the Opposition when she was Minister of Colleges and Universities to try to get the funds for this new visual arts centre. The old facility was a bunch of portables put together. There was inappropriate ventilation. The students were working in very trying circumstances but producing a very quality product and a nationally recognized visual arts program.

It was a great pleasure for me to be there when the former Minister of Colleges and Universities, Richard Allen, came to Western to make the commitment of \$7 million towards that project, a project the Liberals couldn't get done. They had lots of revenues but for some reason couldn't get it done. We gave the commitment and it's now complete. Again, jobs created through the construction, a facility that plans for the future, for growth. I must also tell you, not only are there a lot of full-time students enrolled but there are a lot of part-time and continuing education students who use this facility. Their quality of education is improved, just tremendously

improved. Also, two weeks ago during constituency week, I had the pleasure of going to St Francis separate school in the village of Princeton for the official opening of its new gymnasium. This again shows how this government can work with local communities to come up with an innovative approach. They came up with and built a different type of gymnasium at the school, basically a much cheaper, more economical model for doing that. The Ministry of Education and Training saw fit to provide funds for this project. There was a tremendous amount of community pride in terms of the amount of fund-raising they did to help pay for this project. The community of Princeton and the community of St Francis separate school came together to bring funds together, to commit their time, their energy and their labour to bring this project about—another example of getting things done.

Last Friday, again in the education sector, I had the great pleasure of going into St Mary's separate high school in my riding. Actually, let me say that it's an elementary school converted into a high school to meet the growing demand in Oxford county for high-school level Catholic education as a result of the commitment of full funding for separate schools. Their enrolment has been growing tremendously. They've spent a lot of money trying to make this an adequate facility for a high school, but as you know, there's only so much you can do with an elementary-level school to make it a high school. So I was extremely pleased to announce on behalf of the Minister of Education and Training \$8.9 million for a new St Mary's High School.

This project is very exciting for several reasons, because the site of the new high school is going to go on the Woodstock Community Complex location. The Woodstock Community Complex is a very exciting facility. It has the Fanshawe College campus there, it has a child care facility. This government gave \$3 million through Jobs Ontario Community Action to build the twin pad arena and gymnastics facility.

What we have here is the Woodstock Community Complex, a community facility. The municipality has put money in, we've put money in and of course the good citizens of Oxford county and particularly Woodstock, through tremendous fund-raising efforts, have raised over \$1.5 million to support this project.

Now, through this further contribution, the separate school board is going to build its school out there, because it also has all the recreational facilities, and the public board plans to build a school out there eventually too. That spirit of cooperation that we all ask for between our different forms of government—the provincial government, municipal government and our school boards—is alive and well in Oxford county and being supported by this government.

We hear a lot from some of the opposition members that nothing's getting done in this province, that things just aren't happening. I want to tell you, when Frances Lankin came to the riding to make the \$3-million announcement for Jobs Ontario Community Action, Deputy Mayor Phil Poole said, "This is the best thing that's happened to this city in 25 years." In 25 years.

That proves that things are getting done.

On Friday, the principal of St Mary's High School said, "This is the best day in the seven years that I've been principal of this school," and the reason is because this government has a plan. We've implemented that plan. That plan is to get people back to work. It makes jobs the number one priority. We're doing that through capital investment. We're doing that through training. We're doing that through Jobs Ontario Youth and our summer employment program. We're doing that through Jobs Ontario Homes. We're doing that through Jobs Ontario Community Action. What a tremendous program Jobs Ontario Community Action has. I can't tell you the amount of positive response I've received from my communities already who have benefited from this very innovative program.

That's what this government has been doing. We've been making those strategic investments now that are going to result in future prosperity, not only future prosperity in terms of the government directly but for communities, for people in local communities, and that's what government's all about. It's supposed to work in partnership with the other agencies out there, our transfer partners, municipalities, school boards, other community agencies, and support of their needs, their goals, their aspirations. That's what this government has been doing. Unfortunately, in some ways this message has not been getting out there in the way it should because it's being clouded by some of the other messages that some people want to leave. I cite them as examples of some of the things we're doing.

Coming back to this bill a little more specifically, we know that during our finance and economic affairs committee pre-budget hearings we heard a couple of things: (1) no new taxes. This budget responds to that. We had consultations. We listened. We heard. We acted. We also heard about concerns about access to capital by small and medium-sized businesses. The budget dealt with that in terms of the provisions for loans and trusts and also in terms of the changes that we're making to labour-sponsored venture capital and employee ownership provisions. Again, people said, "We need that access to capital," and we're providing that. We're providing the leadership. We're giving the tools. As we're giving tools to communities through Jobs Ontario Community Action, we're giving tools to the small businesses and medium-sized businesses through giving them better access to capital.

Those are the types of things people want to see happen in this province. They want the tools presented to them so that they can get on with creating the jobs and making Ontario prosperous again and continuing the strengthening recovery that is already occurring.

Now we have before us a sense of different options about how we should proceed, and I'm still trying to figure out where the official opposition is. We did have a debate one day about what should be done and the member for Scarborough-Agincourt, who will be speaking later, said, "This isn't our plan. This is only our vision statement," some nebulous, warm, fuzzy "vision statement."

The people of Ontario know that in tough times they

don't want a vision statement; they want an actual action plan. They want to know what you're going to do to get people back working. When you're looking at our record, when you're looking at this budget that was brought in and you're looking at the other things that we've done in creating jobs, over 300,000 jobs that we've helped support or create through the efforts of this government since 1990, that's a tremendous record. That's a tremendous plan. That shows that this government has been committed to supporting people and supporting communities in this province. But the Liberals: a vision statement, "A vision statement is our jobs plan." That's all they can come up with. They're not sure where they are. They don't have any policy.

Mr Robert Chiarelli (Ottawa West): Mr Speaker, I don't believe we have a quorum present.

The Acting Speaker: The member for Ottawa West is asking for a quorum check. Could the clerk please check if we have a quorum present.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Acting Speaker: The member for Oxford may resume his participation in the debate.

1750

Mr Sutherland: I assume the reason that there's only one Liberal left in the House is because they don't like to hear some of the truth that's being said about them not having any policies or visions. Of course, when they do develop a policy, as we found out last week, it can change from day to day, so we're never quite sure where the Liberals are. They're certainly not here in the House, but we're also not sure where they are in their policy ideas.

Some would say that they may be just bankrupt of ideas since they still may not have gotten over their defeat of 1990, and they can't come up with any new and innovative approaches. We hear a lot of general—

Hon Ed Philip (Minister of Municipal Affairs): Paint by numbers is a fine art.

Mr Sutherland: I won't repeat what my colleague said.

Interjection: Do it. Do it.

Mr Sutherland: My colleague was saying that their policy plan is probably developed on a paint-by-numbers approach, and some may think that.

It's interesting, you listen to the members of the opposition get up every day and complain about this and complain about that. The one I love hearing them talk about is tuition increases. They get up and they criticize this government for announcing what our tuition increases are, and yet they say, "We wouldn't have done that."

Do you know what their policy is on tuition increases? As expressed by Lyn McLeod on Focus Ontario, "A moderate tuition increase." Do you know what a "moderate" tuition increase is? I haven't got a clue. I assume most of the people in the province of Ontario have no

idea what a moderate tuition increase is. But that explains the Liberal policy: "Let's do some warm, fuzzy, nebulous statement that no one can really understand, that we really don't know what it means, and maybe we can switch it tomorrow or the day after. If we think we can get political gain out of it, then maybe we'll do that."

Very clearly, Liberals do not have any policies. They don't have a clear plan, an action plan. They have some warm, fuzzy vision statements.

Then we come to the third party, the third party that put out some document that alleges a degree of common sense. It's really unfortunate that the third party is giving common sense a very, very bad name. That's really what's occurring, and I want to explain why. Even on economic principles it doesn't make a lot of sense, and the reasons are these.

The document claims that somehow they're going to create 725,000 jobs in about three years. They're going to do that, but we're going to have 3% economic growth. Well, if you go back and you look at what occurred in the 1980s, probably one of the biggest boom times since the Second World War, there were about 700,000 jobs created throughout that time, but economic growth was running at 5% and 6%. So, how are you going to create 725,000 jobs with only 3% economic growth? It makes no sense.

The third party likes to tell us, "We understand the economy; we understand how to manage things; we understand how to do all these things," and their economic model just doesn't make legitimate sense. People out there: "I can't believe these numbers." Then you're going to reduce taxes by 30% and cut spending by 20%, but you're going to get rid of the deficit. People are just not buying that. It's just not credible.

Hon David Christopherson (Solicitor General and Minister of Correctional Services): It's Reaganomics.

Mr Sutherland: That's exactly it. My colleague says it's Reaganomics, and that's probably what it is, Reaganomics at its best or, as some would say, Reaganomics at its worst.

Of course, as part of that document, "We're going to cut 20% of government spending but we're not going to touch health," and of course you've got your commitments on the public debt interest as well etc. So what that really means is, all those other ministries are going to have to take far more than a 20% cut. Some of them are going to have to take 30%. Some of them may even have to take 40%. So I think, well, there goes a lot of the funding to the Ontario Arts Council. Throw out the arts.

What about the Ministry of Natural Resources? I heard the new member for Victoria-Haliburton today speaking about his concerns about forestry in the province. A 30% to 35% cut in the budget of the Ministry of Natural Resources and he's concerned about forestry?

We think of Tourism and Recreation, budget cuts there in terms of different issues.

The list goes on and on and on. So when we're looking at that, people need to get the whole story. They really need to give a lot of thought to what is being presented by this so-called document that claims to have

some common sense. It really doesn't. It doesn't make good economic sense. I don't think it is in tune with what the people of Ontario really want. They want government costs to decrease; we all understand that. But they want those essential services that have helped to define us as Ontarians and make the difference as to what makes us different from our neighbours to the south. They want those services maintained. They want a very planned, effective approach. This document does not provide it. It is, as my colleague said, simple Reaganomics: a slash-and-burn approach to trying to deal with things.

The thing I want to make one more comment on is when I hear comments in that document about what we're going to do on workers' compensation, and of course what we're going to do on Ontario Hydro. You'll excuse me, Speaker; I have to be a little bit cynical when I hear the third party talking about Ontario Hydro and workers' compensation.

When we took over government, the accumulated debt of Ontario Hydro was about \$34 billion. Where did that all come from? You can't blame us for that \$34-billion debt. That debt accumulated through the so-called 42 years of good management, as the leader of the third party, Mike Harris of the Progressive Conservatives—sorry; they don't call themselves that any more. But most of that \$34-billion debt accumulated through the 42 years of good management. That's what Mike Harris says. We had 42 years of good management in government. They didn't deal with the issue of Ontario Hydro. They let it run out of control.

The Liberals had an opportunity in their five years to try and deal with it. I don't think they really dealt with the problem either. Of course, in this difficult economic time the debts come due and people have to take decisive action. Again, as I mentioned earlier in terms of trying to get people back to work and the leadership this government has shown and how we have an actual plan, we've also been showing very good leadership in turning the tide around at Ontario Hydro. Tough decisions, no doubt about it, and not easy decisions, but we've certainly done that.

Then, of course, workers' compensation. Here the Tories go again. The Tories' plan to deal with workers' compensation? "Oh, hurt the people receiving benefits. It's all their fault. It's all their fault that the unfunded liability is about \$11 billion. You know, these people are getting too much money." They ignore the fact that when someone goes on workers' compensation and they can't work again, if they're making pension contributions, they may lose out on their pension contributions; they may lose out on Canada pension; they may lose out on a whole bunch of other benefits. "We won't worry about that, because they're making too much money receiving workers' compensation."

Again, as has been presented, that 42 years of wonderful, good management also includes the Workers' Compensation Board. Speaker, did you know that in 1980, the unfunded liability of the Workers' Compensation Board was only \$400 million? Only \$400 million. To me, a very manageable amount at \$400 million in 1980. They had good, effective leadership. If the appropriate decisions

had been made, maybe our premiums on workers' comp wouldn't be as high as they are today. What was it by 1985, Speaker?

Mr Gilles Bisson (Cochrane South): What was it?

Mr Sutherland: Close to \$6 billion. I just want you to know that that corresponds to a lot of the time the member for Nipissing, the leader of the third party, was there in government, being elected in 1981. So I think he needs to take some ownership of some of that increase.

As I said, by 1985 it was up to \$6 billion. So, again, what about the Liberals? They were there for five years. They had an opportunity to really deal with the problem, to get that unfunded liability down to a manageable amount. What happened during their time period? By 1990, when we come into government, it's close to \$10 billion—\$10 billion.

1800

I have to listen here, day after day in question period, to opposition members talking about this government: "You can't manage this. You can't manage. You're poor managers." And all I can think of: Workers' Compensation Board and Ontario Hydro. Let the facts and the record speak for themselves, that quite clearly many things were very mismanaged during the 42 years of the Tory governments, and even in the five years with the Liberals.

I just want to put those points on the record, and just to summarize what this bill is all about and to summarize what this government has been doing. Our number one priority has been jobs. Our number one priority has been getting people back to work. We've been doing that through many different means. We've been trying to get people back to work through our significant capital investments. We've been trying to get people back to work through Jobs Ontario Training, and let me say about Jobs Ontario Training, a very successful program.

I met with some of the local companies that are using Jobs Ontario Training. You know what they told me? They told me that they had not used a government training program in 20 years but that they're using this one because it has very little red tape and very little bureaucracy for them and it meets their specific needs. A very successful program.

That's what you've got to do. You've got to design programs, as a government, that get people back to work, that work in conjunction with our transfer agency partners, our municipalities, our school boards, other agencies out there in terms of meeting their needs, their capital needs, that also can improve the quality of the service they're providing and create many, many jobs, particularly in the construction sector, which was very hard hit by the recession.

This bill has a lot of provisions to it but it contains some very important job-creation provisions and some very important provisions that will enhance the economic strength of this province. We have been coming out of this recovery. We've been doing well. The economic growth is picking up, and I believe this budget will further enhance and support the efforts of the province's economy to get going and get people back to work.

That's what this government has been doing. It's been its top priority and I think we've done a very good job, in extremely difficult times, without much support from the federal governments, but we've done a very good job. We have a plan, we've implemented it and that plan is working.

The Acting Speaker (Ms Margaret H. Harrington): We have questions or comments to the member.

Mr Murray J. Elston (Bruce): That is a bunch of bumf. I have never heard so much foolishness in all my life. Those last two or three paragraphs about how you've been doing it all and you've got all these people back to work, you know and I know is a whole bunch of political hyperbole.

I know for sure that there is a tremendous number of young people who are out of work and are coming out of our schools—our secondary schools are just about finished now—and I'll tell you, there are many, many people who can't find work. There are many more individuals in our province who have lost their jobs, and permanently so, who are now languishing without any opportunity of coming up with alternative work for the jobs that have been lost.

Some of those jobs, to be quite honest, have been lost as a result of an economy which isn't totally controlled, obviously, out of the province of Ontario. There are world influences, but I can tell you that it has been made worse in Ontario by some misguided activities on the part of the New Democrats.

To be quite honest, some of the stuff that has been included in your budgets are the types of things that have prevented people from continuing on with the investments which they had originally planned. There should have been, in the remarks by the member for Oxford, an admission that they have not been able to do a very good job in some areas of our economy. There was no admission.

There should have been, in the remarks by the member for Oxford, an admission that the new Unclaimed Intangible Property Act has created some controversy, which, to be quite honest, was one that was there before, but they have chosen to reintroduce this without allowing for a proper amount of time to take away the sting of this new public policy adventure of theirs.

From my point of view, there should have been a much more forthright explanation of this bill as opposed to the political hyperbole that was chosen for our presentation today.

Mr David Johnson (Don Mills): The parliamentary assistant to the Minister of Finance—I understand that's the capacity the member for Oxford fills—is one of 32—am I right?—32 parliamentary assistants. That must surely be an all-time record. That's about 50% of the whole caucus would be parliamentary assistants.

Hon Evelyn Gigantes (Minister of Housing): Not at all.

Mr David Johnson: It's not a record. It must be close.

If I was the parliamentary assistant and my number one priority was job creation, and I was to stand up in

this Legislature and say—I'm quoting him—"The number one priority of our government is to create jobs and get people back to work," and then on the other hand I was to take the budget, the 1994-95 budget, and looking at page 51 from the budget, which the parliamentary assistant I assume has had some influence in creating, I see that 4,937 million people were employed in this province in 1990, when this government took office.

I look at the following year, right from their budget, 4,770 million people, almost 200,000 people fewer were employed, and the following year again, 60,000 fewer people were employed in 1992. It's up a little bit in 1993, but at the end of this fiscal year, which will be in March 1995, the forecast is for fewer people to be employed than there were in 1990, when this government took office. Now, there is a record for job creation, for getting people back to work. That is some record to boast about.

Mr David Winninger (London South): I continue to be impressed with both the wisdom and knowledge of the member for Oxford. He's certainly wise beyond his years, not only coming out of the University of Western Ontario, as he said, as a former president of the student council and a young student himself, he not only found a job for himself here in the Legislature, but he's now using his high office to find jobs for other people, and I commend him for that.

He has spoken about the efforts of this government to create jobs across the province, and I think the objective indicators are now coming in. For example, the Conference Board of Canada, as I recall, said that individual and investor confidence has never been higher in five years. I believe it was the OECD and the Toronto-Dominion Bank that predicted that Ontario would lead not only the rest of the provinces in Canada but the entire industrialized world in economic growth over the next two years.

We're dealing with our debt, at the same time, in a much more constructive manner, as the member for Oxford observed, than the previous Liberal and Conservative governments did. We're making the necessary decisions, we're making them in a timely fashion and we've been able, for the first time in 50 years, to actually reduce government spending two years in a row.

I think, as the member for Oxford said, the plan is working. We're creating jobs. We're bringing our deficit under control. We're still maintaining a relatively high level of public services, notwithstanding the social contract and the expenditure control plan. I agree with the member for Oxford. This plan is indeed working. I think over the last few years we've seen some very tough decisions, but they've been fair and they're putting this economy back on track.

1810

Mr Bisson: I'd like to commend the member for Oxford for his comments in opening up this debate. I know that if the member had had more time, he would have gone on to mention some of the other things that have been very important to the economy.

I think what was interesting in his comments in this House is just the point of how the opposition reacted in trying to show that Ontario somehow is in a bad position

economically, and that it was nothing but doom and gloom in the future. But they failed to recognize—for example, the member from London had mentioned before that Ontario is predicted to lead the G-7 nations through the recession, through the economy, over the next two or three years.

That's not the government of Ontario printing that as propaganda. The leading economic predictors are showing that Ontario is going to and is leading the G-7 through the next few years. I think that's of some significance to what this government has been doing, and I think a show of confidence for what this government has done in order to be able to realign the economy to a certain extent and to change some of the structures by which the economy operates.

I just look within my own riding and this upcoming year we have close to \$500 million in private sector investment through a number of different projects through my community, and that's not just in mining. Mining is one of them, and it's very important to my community, but also we're seeing it in forestry with the Malette expansion that is being talked about and hopefully is going to be announced over the next little while, through power generation with regard to Northland Power and Potter station that are now announced and under construction.

We're looking at over \$500 million of private sector investment, and I know the member for Oxford would have wanted to mention that if he had had the opportunity. I would just say I don't think we've seen \$500 million in private sector investment in my riding over the whole five years of the Liberal government or over the 40-odd years of the Tories, for God's sake. I think that's a pretty good record, and I know the member for Oxford would like to have mentioned that if he had had the time.

Mr Sutherland: I want to thank the member for Bruce, the members for Don Mills, London South and Cochrane South for their comments. The comments of the member for Cochrane South are quite accurate. There are all kinds of new private sector investments occurring—tremendous investments across the province.

My colleague from Essex-Kent is certainly familiar with the significant investment the commercial alcohol industry wants to make in an ethanol plant, and so I guess the only comment I'd make to the member for Bruce is, I certainly hope that he is in constant contact with his federal colleagues, and particularly the federal Minister of Finance, to ensure that the exemption for ethanol fuel on taxes will be committed for 10 to 15 years so that this project can go ahead. It's not us holding up the project. We committed \$6 million to it. We need the federal government's support to help out with that one, and that would go a tremendous way.

With regard to the Unclaimed Intangible Property Act, I believe a couple of my colleagues, particularly the member for London South, will be elaborating a little more on that bill during the debate period, and we'll hear some more information.

The member for Don Mills talks about jobs. If we had had some greater support—at least I give the current federal Liberal government credit. They see the value of infrastructure investment. The federal Tories didn't see

that. In the worst depths of the recession, that would've been the best time to do it but, no, they couldn't see themselves to bring about that benefit.

The points I want to make in summary again are: We've got a plan. It has been working. It continues to work. It's getting people employed, getting them jobs, and we don't see any statement from the Liberals. We see a fuzzy vision statement. There is no action plan from Lyn McLeod. Any time we do have a policy, it changes from day to day, as we witnessed last week. That's no vision. You can't lead a province by not having any plan.

The Acting Speaker: The member's time has expired. Further debate?

Mr David Johnson: I did come here today primarily to deal with Bill 160, but since we've got into the various plans of the various governments, and since the Liberals aren't represented here today, should I put in a good word for the Liberal plan?

The member for Oxford says that the Liberals don't have a plan. Well, I have their plan right here. Here's their plan. How many pages are we talking about? Forty-one pages of plan, and it's summarized in five points. They have five points to their plan.

Mr Bisson: Is it warm and fuzzy?

Mr David Johnson: "Is it warm and fuzzy?" the member for Cochrane South says. Let me ask you this. The first point is "Charting a Bold New Course." We must chart a bold new course. Isn't that specific?

Mr Bisson: That's the Star Trek theme, isn't it?

Mr David Johnson: That's from Star Trek, is it? Well, that's pretty specific, I would think. Maybe a little bit warm and fuzzy.

The second one is "Letting the Economy Breathe."

Mr Sutherland: How profound.

Mr David Johnson: The member for Oxford says that's profound. This is a specific plan the Liberals have here.

The third point is "Redesigning the Machinery of Government," because it's 1960s.

Mr Bisson: Is that a code word?

Mr David Johnson: I guess these are code words. "We've got to redesign the machinery of government." So there you are.

The fourth point is "Making Ontario the 'Home of the Best Workforce'." Now, you would agree with that. What NDP government wouldn't agree with that? Make Ontario the home of the best workforce.

Finally, the fifth point in this very specific plan is "Providing the Tools for the Future." Well, there you go. There is an excellent plan, a very specific plan. I don't know what they mean by "tools for the future."

Interjection.

Mr David Johnson: The minister says we need a hammer and chisel or something and we can build a new Ontario. I don't know. But there's the Liberal plan. That's quite an excellent plan. I have a suspicion we'll see a new plan before the next election or else we may see a party that's in trouble.

I was a little disappointed and a little surprised in the member for Oxford, though, in terms of his comments with regard to the Common Sense Revolution. I'm very disappointed.

Mr Stephen Owens (Scarborough Centre): Oh, come on, David, you don't believe that. You can't say you believe that.

Mr David Johnson: The member for Scarborough Centre asks that I raise this and show it again. I didn't come here to talk about the Common Sense Revolution, but the member for Oxford has brought this to our attention. He has asked in his speech for a little bit of enlightenment on the Common Sense Revolution and I'm very pleased to assist him in that regard.

This is no great surprise to the people of the province of Ontario. The people of the province of Ontario understand that if you spend more than you bring in, you've got a problem. If I have a salary of \$45,000 a year and I spend \$55,000 a year, I've got a problem.

Interjection.

Mr David Johnson: I'll need a good bank. You're right. I'll need some help. If I do that four years in a row, I'm going to be bankrupt. Well, that's what the province of Ontario has done for the last four years. As a matter of fact, it's worse than that. For the last four years, the province of Ontario, through this NDP government, has essentially spent about \$55 billion a year and brought in revenues of about \$45 billion.

Mr Bisson: What happened in Ottawa?

Mr David Johnson: What happened in Ottawa, asks the member for Cochrane South. Look, what happened in Ottawa wasn't right either. Two wrongs do not make a right.

Mr Owens: What did we waste money on?

Mr David Johnson: If the position of this government is that if some other level of government can't come to grips with its budget then it's okay for this provincial government not to come to grips with its budget, then I think they're sadly missing the point and I think they'll find that the people of the province of Ontario do not agree with that point.

The people of the province of Ontario understand that there's a financial problem that we face in the province of Ontario. They realize that when you have a \$90-billion debt accumulated through the years, accumulated with various governments—sure, not only NDP, not only Liberal, but Progressive Conservative governments; look, let's not point fingers; all governments have contributed to that debt over the years—it has to be solved, or what sort of legacy are we going to pass along to our children?

That's the point of the Common Sense Revolution. It says: "Forget about who's at fault. Let's stand here today and apply common sense and try to address the fiscal mess that we face in the province of Ontario." We're spending too much. We're bringing in enough revenue, frankly. The people of the province of Ontario will tell you they're taxed high enough as it is today, the corporations, the individuals. Our taxes are high enough; it's that we're spending too much.

Since the member for Oxford hasn't read the Common

Sense Revolution yet, I will endeavour to send him a copy tomorrow, because he doesn't understand how the numbers add up. The approach is to allocate certain priorities. Those priorities are health, classroom education and law enforcement, and then to apply, to the member for Oxford, a 20% cut on the government spending beyond that.

1820

That will add up to about \$6 billion by the end of three years—about a \$6-billion cut in the spending in the province of Ontario. I might add that if you go back to 1985, which is a favourite year for many of us here, and take the spending that was in place in 1985, which was about \$25 billion, then increase that spending by inflation through those 10 years, increase that spending by the population growth, the spending today would be \$8 billion less than it is.

In other words, the Liberal government and the NDP government through the past 10 years have spent and spent beyond the rate of inflation, beyond the population growth, by \$8 billion. The \$6 billion that is proposed to be cut through the Common Sense Revolution will bring it back closer to the level of spending that we had per capita in 1985.

That's not a hard concept to understand and I would encourage the member for Oxford to take another go at it, read it again and see if second time around it doesn't make a little more sense than it did the first time around. That's part of the Common Sense Revolution.

Another part of the Common Sense Revolution deals with the high taxation level we have in the province of Ontario, and I'm going to come to that a little bit later in my speech, hopefully, if time doesn't expire. But most Ontarians watching today would agree that our taxation level is not only high enough, it's too high and it's a disincentive for job growth in our province.

What we're proposing to do, as the member for Oxford has pointed out, is to reduce the level of taxes, specifically a 30% reduction on personal income tax—not on all taxes, and that may be where the member for Oxford misunderstands—but a 30% reduction in the personal income tax. Today in the province of Ontario, through the personal income tax and the surtax associated with the income tax, we have just about the highest marginal top rate in North America. If the people of the province of Ontario think they're being taxed high through their income tax, they are right. We are the highest-taxed jurisdiction in Canada and just about the highest in North America.

The level of reduction that we're proposing through the Common Sense Revolution, at 30%, would seem drastic to the member for Oxford but, in actual fact, it brings us back to about the level of the province of Alberta. That's how far out of whack our taxation level has got in the province of Ontario.

The combination is for tax decreases that would total about \$4 billion and expenditure reductions that would total about \$6 billion. We believe the tax reductions would encourage job creation, business expansion and growth in the economy. Through all this, more people

would get back to work, more people would be paying income tax, because we don't need higher taxes, we need more people paying taxes. Through the combination of that program the budget would be able to be balanced in four years. That's the basic framework of the Common Sense Revolution.

I want to say, as I'm joined by my colleague the member for Mississauga South, that program starts right from the top. The member for Oxford has said it's not fair to single out those on workers' compensation; it wasn't their fault that we have a problem with the workers' compensation system. He's absolutely right; it wasn't their fault.

It's not the fault of the people of the province of Ontario that we have a debt of \$90 billion; it's nobody's fault. But the point remains that there is a huge, enormous problem that has to be resolved. Does the fact that it's not the fault of the injured workers that there's a debt in the WCB of \$12 billion justify inaction: just to let that sit, let that grow, get worse? We can't do that. There have to be changes in the workers' compensation system. We're going to cut premiums by 5% and there will have to be a new approach to the workers' compensation system to make it balance.

It's not the fault of the people of Ontario that we have had four successive years where the province of Ontario has had to borrow over \$10 billion—unprecedented. When this government took office four years ago, the debt was under \$50 billion. It was about \$45 billion. Today, at the end of this fiscal year, it will be \$90 billion.

It's not the fault of the people of Ontario that this has happened, but should we sit back and let that carry on? The people of Ontario understand that action has to be taken in that regard, and we are proposing, through the Common Sense Revolution, that action be taken. That action will start and include everybody. It has to include everybody.

Interjection: Workers' comp?

Mr David Johnson: Yes, it has to include the workers' compensation system, but it has to start right here in this Legislature. We're proposing that we reduce the number of elected members in this Legislature. Currently there are 130 members. In the province of Ontario there are 99 federal elected members. We feel that the provincial members can do an equal job, are up to the task of their federal counterparts. We think 99 members in this Legislature could provide good representation for the people of the province, so we're proposing to reduce the number of members in this Legislature from 130 down to 99, a reduction of 31 members. We're proposing to eliminate the pension scheme of the members of this Legislature, a very expensive pension scheme. We're proposing to eliminate the tax break that the members of this Legislature get.

So there will be leadership from the top. We are not asking the people of Ontario to buy into this program without providing leadership. This will be painful, painful all the way around, no question about it, but people understand that measures are required when year after year after year this province has to go out and borrow

over \$10 billion to balance the budget. And I'm not talking about capital programs, capital to a very small degree; I'm talking about programs such as welfare, health, ongoing operating programs. We have to go out and borrow over \$10 billion to make ends meet for our operating programs.

The Common Sense Revolution is very specific. The member for Oxford can have good fun with the Liberal Party and with the Liberal Party's platform, which I agree with him is a very warm and fuzzy platform. It contains very few specifics, a little bit of tinkering around. Obviously it's a program that has been put forward by a party that perceives itself to be way ahead in the opinion polls and doesn't want to rock the boat, doesn't want to make any enemies.

The member for Oxford can have fun with that platform and I certainly would not discourage him in that regard, but he cannot make the same claim about the Common Sense Revolution. The Common Sense Revolution has been thought through in all aspects: the welfare system. In the province of Ontario we have a welfare system where the payments to the recipients exceed the payments on average in the rest of the country by about 30%. We would like to be able to give those who truly need welfare 30% more than they get in the rest of the country, but is that realistic? When one is piling up year after year \$10-billion deficits, is that realistic? I say it isn't.

1830

It goes into all aspects of government. It looks at general governance. It recommends reductions in grants to businesses. Some may say, "Oh, you wouldn't touch the business community." In this document, the Common Sense Revolution, we say governments cannot sponsor or subsidize or give grants to the business community, the private sector. The private sector can do very well on its own, thank you. We have a great entrepreneurial spirit in Ontario.

If somebody is saying that the message of the Common Sense Revolution is doom and gloom, it's far from that. There are two messages I take from this document that are very positive.

One is that we have a great deal of confidence in the private sector in the province of Ontario, that the private sector will do well. If we create a level playing field for the private sector and if we permit the private sector to function competitively with other jurisdictions, such as those in the United States, we have the entrepreneurial spirit here in Ontario and in Canada that will survive—not only survive but flourish.

The second point that is very positive in the Common Sense Revolution is that with that flourishing of the private sector there will be jobs that will be created—not by government; we cannot afford to give everybody a government job. We have unfortunately extended the expenditures of the province of Ontario too far today. There will have to be jobs cut back through the bureaucracy.

Mrs Margaret Marland (Mississauga South): On a point of order, Madam Speaker: The member who is

speaking has a great deal of important information, and a quorum should be present to hear what he has to say.

The Acting Speaker: Would the clerk please determine if a quorum is present.

Clerk Assistant and Clerk of Committees: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Acting Speaker: The member may resume.

Mr David Johnson: As I say, I didn't really intend today to get into this kind of debate at all, and I'll simply wrap up the comments in this vein by saying that the Common Sense Revolution is a very specific, well-thought-out program that will permit the economy to grow, permit job creation through the private sector, reduce expenditures in government and allow us, the government, to balance the budget.

I would like to shift now to the topic today, which is Bill 160. Just to refresh memories, Bill 160 is one of these omnibus bills, which is very disappointing, to members of my caucus at any rate, because there are so many different issues jammed together. I have to say that it doesn't allow for a fair and open debate on all the different aspects, and there are many aspects of this bill. It contains 18 parts that amend 17 different statutes, and many are contentious with various parts of our economy in Ontario.

I know there are people—businesses, individual people—who would wish to speak to certain parts of this omnibus bill, but the whole thing is going to be rammed through as one entity, and that's very unfair. It's unfair to the opposition members on this side of the House, to be able to analyse it and speak to it, but I it's also unfair to those who are affected by the bill because it will not permit them to be part of the debate and have the input they would wish. I can tell you, through my speech later on, that many are going to feel very adversely affected by Bill 160.

To give some idea of the broadness of the bill, it deals with an annual filing fee by corporations. Every year a corporation will have to pay a fee, estimated to be \$50, kind of a nuisance fee. But it's not only corporations, it's also non-profit corporations. Groups like Kiwanis clubs or Lions clubs or skating clubs or baseball organizations or many non-profit organizations will have to file a fee as well, perhaps some \$25, and this is a great nuisance to them. That's part of it.

How education property taxes are allocated across the province of Ontario: Now here's a topic that's near and dear to the hearts of a large number of people in the province, and I'm sure many boards and many individual people would like to have an opportunity to speak to that issue.

Another issue affects the employer health tax. This perhaps is a positive measure, because a tax holiday is being promoted.

The Ontario Transportation Capital Corp is involved, the Loan and Trust Corporations Act.

There is a retail sales tax exemption for delivery charges from the dirt tax. That's an interesting one. I don't think I'll come back to that again in the future, but last year in the budget, just over a year ago, in 1993 the government introduced about \$2 billion of new taxes in the province of Ontario, and one of those new taxes applied to sand and gravel, aggregates, various road material. They slapped the retail sales tax on those materials, and that of course affected construction companies, and municipalities were hit by that because municipalities build roads and sidewalks, and sand, gravel, aggregates, etc are essential ingredients of all that.

This was a method to raise funds, though. When your expenditures are enormous and your revenues are also enormous but not high enough to cover the expenditures, the approach of this government has been to try to raise revenues to cover those expenditures. One of the avenues one year ago was to impose the retail sales tax on sand, dirt, aggregates etc.

The member from Oxford has bemoaned the fact that all we do is accuse the government of poor management, but here is a case in point where the tax was implemented last year, and during the course of the year it was determined that in terms of the delivery portion—so when sand or dirt or aggregates are delivered, that delivery portion—in terms of applying the tax, was unmanageable. They did not think it through a year ago, and they have found that over the past year that portion is unmanageable, unworkable, and in this budget we have that particular component of the tax rescinded.

I'm certainly going to support rescinding that particular portion of the tax. We didn't support the tax in the first place. We didn't support any of the \$2 billion in taxes that were imposed in 1993.

Then there's the sweetheart deal with OPSEU, the Ontario Public Sector Employees Union, contained within this bill. I think that's where I'll start, because Bill 160 is one of the 18 different parts of this bill that does contain a sweetheart pension deal for the Ontario Public Service Employees Union. My guess is that there were probably two objectives in achieving this: First, the government again is looking at ways to fudge the books so that the financial situation of the province—

Mrs Marland: The first time in the province's history that the auditor wouldn't sign off.

1840

Mr David Johnson: Yes, the auditor had severe problems and didn't sign off the books a year ago, and here's perhaps another indication of why the auditor has problems with the books.

Mr Chris Stockwell (Etobicoke West): Sneaky.

Mr David Johnson: "Sneaky" is a word that's been used by the member for Etobicoke West.

Mr Jim Wiseman (Durham West): When are you going to put up the cue cards?

Mr Stockwell: He's forgotten more than you know.

Mr David Johnson: I would think the member for Durham West would have enough difficulty with his landfill site, but I guess he wants to get into this debate.

Mr Wiseman: Thanks to you Metro guys. Thanks a lot. They remember when you were on Metro council.

Mr David Johnson: What's happened here is that the public service pension plan has been cut in two. Of the people involved in the public service pension plan, there are three prime groups that I'm aware of: First, there's the union members, OPSEU, the second group is the Ontario Provincial Police, and the third group involved is the non-union members, the management members.

One would think that if one were going to affect the pension plan of all three of these groups, it would be a requirement, an absolute requirement, to involve them all in the discussions. For heaven's sake, as employees, whether they're police, whether they're union members or whether they're non-union members, as they get along in their career, what is more important to them than to make sure they have a pension plan that's protected and is stable?

I can speak from personal circumstances. Over a year ago, when I was the mayor of East York, the provincial government was proposing that for investment purposes the province of Ontario would look at going into the Ontario municipal employee pension plan and using the funds from that pension plan—do you recall those days?

Mr Stockwell: Yes, I do recall that.

Mr David Johnson: —taking the funds from that pension plan and using them for wild investment schemes. Perhaps I'm exaggerating a little bit, but it was for various investment schemes within the province that the Premier and the cabinet wished to promote, those kinds of investment schemes.

I can tell you, the reaction was overwhelming, and the government soon backed down on that. Even in East York, those who had been in the pension plan for some number of years were livid that the government would even consider dipping its hands into their pension scheme, putting that money into an investment that would have some risk associated with it.

Mr Stockwell: A lot of risk.

Mr David Johnson: A lot of risk. What kind of government would do something like that and jeopardize their future?

Interjection.

Mr Stockwell: It's their money. Let them decide—

The Acting Speaker: The member for Etobicoke West is out of order.

Mr David Johnson: He's being helpful, Madam Speaker. He may be out of order, but he's being helpful.

What's happening here is another spin on that. You have the three groups—the police, the union and the non-union—and the provincial government has had discussions with only one group, that being the union group. The provincial government sat down with the union members and struck a deal with the union members, and then, after the fact, it's gone to the other two members of the group, the Ontario Provincial Police and the non-union members, and has said: "Here's the deal. You like it, don't you?" Well, they don't like it, I can tell you that.

The purpose beyond this is twofold. One is to make

friends again with the union members, OPSEU, because the social contract last year was a severe strain on the relationship between OPSEU and this government. OPSEU gains more control over their pension plan, which is now severed from the public service plan. It'll be a separate plan. They gain more control over it, so OPSEU is happy about this. Not only that, but their plan does not contain any of the currently retired members. Their plan starts from scratch.

And beyond that again, what is alleged by the members who are excluded from this deal is that the assets that have been allocated to the OPSEU plan are superior to the assets that have been allocated to the rest of the plan. In other words, OPSEU got a better deal. The police and the non-union members were left with not a very good deal, I would say a bad deal.

The other point I might add is that because they've struck this deal with OPSEU, OPSEU has agreed that the provincial government would not be required to pay certain moneys over the next three years, because apparently there will be a little bit of a surplus in those three years due to the fact that salaries are not going up as fast as they contemplated and consequently the payments can be a little bit lower. I'm going to come back to that in a moment, though.

However, where does this place the Ontario Provincial Police and where does this place the non-union members? They have had an actuary look at the split and their actuary has said that this split is a bad deal.

Mr Stockwell: Oh, but the government doesn't agree with that.

Mr David Johnson: "The government doesn't agree with that," says the member for Etobicoke West. No, the government doesn't agree because it would ruin their plan. It would ruin their plan to curry favour with OPSEU. It would ruin their plan to defer the payments to the pension plan. We're talking about roughly \$1 billion, \$942 million to be exact, that is going to be deferred.

You know, the crime in all this is that the pension plan is underfunded at the present time. It's underfunded to the tune of between \$2 billion and \$3 billion, \$2.4 billion I believe at present, and this money could be used to pay down that underfunding. The taxpayers are picking up the tab for that underfunding. Over a period of 40 years we're making payments, unfortunately—40 years, if you can believe it. Our grandchildren, our grandchildren's children will be paying off the unfunded liability in this pension plan for OPSEU members and others.

We had an opportunity here. With \$942 million of surplus, we could have paid off some of that unfunded liability. Would that be good fiscal management? I would guess that 99% of the people in the province of Ontario would say, "For Pete's sake, pay it off." What do they tell you when you have a mortgage on your house? "Pay it off as fast as you can." People understand that. The faster you can pay off the mortgage on your home, the better off financially you are.

What's happened here with a golden opportunity to pay off this unfunded portion? They have deferred. They have chosen to make themselves look better in this fiscal

year, using that money in their operating budget instead of paying down their obligation. That would have reduced the payoff period from 40 years down to 15 years.

Interjections.

Mr David Johnson: Madam Speaker, there's a little bit of a—

Mr Owens: How do you expect to pay it off?

Mr David Johnson: The member for Scarborough Centre doesn't seem to understand.

The Acting Speaker: If other members wish to make comments, they will have a chance at another time. The member for Don Mills has the floor.

Mr David Johnson: I think that's a real crime, but there are a couple of other real crimes that have been involved in this issue. One is that a year ago, when this government, through the social contract, came to an arrangement with the Ontario Provincial Police, one of the aspects in the social contract agreement with the Ontario Provincial Police was that they would not divide the pension plan. Just one year ago they would not divide the Ontario Provincial Police pension plan.

What have they done today? Without the consent of the Ontario Provincial Police, the pension plan has been divided and there is a clause in Bill 160—here it is right here—that says, "Notwithstanding any agreement we've made in the past with the Ontario Provincial Police, for example, notwithstanding that agreement we made in the past, what we're doing in Bill 160 we declare to be legal." In other words: "We can make a promise one year and we can break it the next year. We can do that with the Ontario Provincial Police," and the Ontario Provincial Police, I can tell you, are angry about this.

Mr Allan K. McLean (Simcoe East): They should be.

Mr David Johnson: And they should be, for sure. What they have asked for is to have their own plan split off, but the government has turned them down in that. The police have said: "Well, it's fair for OPSEU, it's fair for us. Allow us to split our plan off too." But the government has turned them down.

1850

What do we have now? We have a lawsuit initiated by the non-union members, by the management group of the non-union members, suing the government because it has left them with a pension plan where they're afraid that in two or three years the payments are going to go up and the pension plan is going to deteriorate. The provincial police now, I understand, are joining in that lawsuit against the government. That's what we have. That's one aspect of Bill 160.

I think it's very unfair that employees, whether they be management staff, whether they be non-union members in other service in the province of Ontario, whether they be provincial police who are ensuring the safety of many of our towns and municipalities in the province of Ontario and putting their life at risk day in and day out to ensure the safety of our citizens—these are people, in many cases, who have given long service to the province of Ontario. Then what happens? The thanks they get? Bill

160 takes their pension plan and divides it in two, divides it unfairly, according to the actuaries.

There was an agreement that the actuary used to divide the plan should be agreed upon by all parties, but it wasn't. The actuary that was selected by the government was the government's choice. I imagine OPSEU concurred in it, but the Ontario Provincial Police and the non-union members were not brought into those discussions and they did not have the ability to agree. This was a course of action that had previously been acknowledged and agreed to, but it was violated.

So here we have a most unfair situation. I think if we cannot be fair to our long-term employees in the province of Ontario, then it's a sad state of affairs. I hope that before this bill goes through the government takes another look at that most unfortunate aspect of Bill 160.

I'm going to slide along now, as time is going by, to another aspect of Bill 160, dealing with the corporate filing fees. This bill does permit and put in place an annual corporate filing fee. The amount would be determined in the regulations. The corporate filing fee was actually eliminated in 1976. I'm not sure who was in government in 1976.

Mr Ted Arnott (Wellington): The Conservatives.

Mr David Johnson: Oh, the Conservatives, that's right. The Conservatives were in government in 1976. It was eliminated in 1976.

Mr Gregory S. Sorbara (York Centre): The bad old Tory days.

Mr David Johnson: The member for York Centre's not in his seat, I might add, Madam Speaker, but we welcome in our midst the member for York Centre. He says, "The bad old Tory days." The next year of significance in terms of the corporate filing fee was 1989. Now do I hear, "The bad old Liberal days"?

Mr Sorbara: No, those Liberal days were good days. Liberal times were good times. Lots of people had jobs then.

Mr David Johnson: All right. So the member for York Centre says, "The bad old Liberal days," and we have to agree with him.

Mr Sorbara: Help me out here, Madam Speaker. I said Liberal times were good times.

Mr David Johnson: All right. I apologize for misconstruing.

In 1989 Liberal legislation, section 6 of the Corporations Information Act, allowed the minister to require a filing of the status of a corporation at any time. They brought the legislation back in, but it wasn't exercised in terms of requiring corporations to file until 1992. At that point there was some large number of corporations that hadn't filed, so a number of letters were sent out and as a result a number of corporations filed.

However, more recently we have seen this government bringing in a requirement, trying, I might say, and this is the third occasion, because this corporate filing fee was contained in Bill 29, which didn't get through. It was also contained in Bill 81, and it didn't pass at that time. Now it's in Bill 160. If this is like baseball, this is the third

strike, and if it doesn't pass this time, then you're out.

What this would permit, through regulations, would be the fee to be charged to all corporations in the province of Ontario, some \$50, and the apparent justification is that up-to-date information could be required.

Mr Sorbara: Just another tax grab by Marilyn.

Mr David Johnson: Just another tax grab—that's absolutely right—the member for York Centre says. He's absolutely right. It's another tax grab, and it's a tax grab not only for private corporations, but charitable corporations as well. I mentioned previously, Lions clubs are involved and—

Hon Ms Gigantes: It's \$25.

Mr David Johnson: The minister from Ottawa Centre says \$25. You know, \$25 is no big deal to the minister from Ottawa Centre for non-profit organizations. This is the attitude: Nick them again. So what? It's only \$25: \$25 here, \$25 there. Skating clubs, ball clubs, these are run by volunteers, Lions clubs. They're there to serve the community. They should be encouraged. They shouldn't be nicked for \$25 for some blasted fee, a filing arrangement that they have to make. They should be encouraged. Why is the government dipping into the pockets of these non-profit organizations, which are providing excellent service to the people of the province of Ontario?

I think this is unmitigated gall, and the minister's attitude just demonstrates that. I have no doubt, if it's \$25 this year, it'll be \$30 at some point in the future and then \$50. It's a tax grab. It's another way to get more money to pay for expenditures that are far too high. That's what this is all about.

The government's speculating that there's going to be some \$12 million raised. That's what it's all about: \$12 million into the coffers of the Ministry of Finance. The estimate is it might cost \$2 million a year in administrative costs to bring that revenue in. Isn't that a sad state of affairs that we have to go out to our non-profit organizations, we have to go out to our companies who are struggling in a recession, who are trying to create jobs, and we have to pull an extra \$12 million out of them in some fashion? And there's a bureaucratic cost of \$2 million to do that. Isn't that wasteful? Isn't that counterproductive somehow?

Mr Ron Eddy (Brant-Haldimand): It's upsetting.

Mr David Johnson: It's upsetting. The member for Brant-Haldimand says he's upset, and I'm upset as well. We're both upset about that. I hope he speaks to this later, because I think the government should be given heck for doing this.

They might say, "Well, \$50 to a corporation, big deal." I have a chart from the Canadian Federation of Independent Business representing some, I believe, 80,000 businesses across Canada, representing tens of thousands of small businesses here in the province of Ontario, and they've done an analysis of the tax burden on Ontario businesses.

They've done an analysis of all taxes: payroll taxes, local taxes—by payroll taxes I mean workers' compensation, employer health tax, unemployment insurance, those kind of taxes; local taxes, which would be property taxes,

both local governments and regional governments and school taxes; income and capital taxes and commodity taxes.

I don't know if the chart is picked up by those who may be watching, but unfortunately, on the left side of this chart is the province of Ontario, and if you compare other jurisdictions within North America—and the other jurisdictions they compared are Quebec, Michigan, New Jersey, New York, Pennsylvania. It's probably readily apparent why they would take those jurisdictions, because those jurisdictions are geographically close to Ontario and they would be our main competitors in an economic sense, main competitors with Ontario.

If you look at those other jurisdictions, what you find is that in terms of total taxation, Ontario is unfortunately the highest. This is what the business community faces in this day and age here in Ontario: They are the highest-taxed area, highest-taxed province or state in this vicinity of North America. That is the problem.

1900

Hon Ms Gigantes: That's not the case.

Mr David Johnson: The minister from Ottawa says it's not the case. The Canadian Federation of Independent Business, representing businesses, says it is the case. They're looking at all taxes, Minister, not just one particular case. If you look at payroll taxes, then indeed they show here that Ontario wouldn't be the highest. But if you look at all the taxes together—

Hon Ms Gigantes: No.

Mr David Johnson: I would encourage the minister then to respond during her period, at the end of my time allocation, because this is certainly the data that the Canadian Federation of Independent Business has found. Having dealt with that organization over the last year, I have a great deal of respect for its ability to bring out the information.

Here we are putting another, admittedly small fee, but another fee on top of that, on top of a tax structure in the province of Ontario that's already higher than Quebec, higher than Michigan, higher than New Jersey, New York, Pennsylvania. Slap another tax on top.

Then the member for Oxford says: "Our main priority is to create jobs in the province of Ontario. Our number one priority is to create jobs." Here's how we go about creating jobs: We put another tax on our businesses. We already have the highest tax structure in Ontario. The number of employed people, as I indicated earlier, is lower today in Ontario than when this government took office four years ago, but "Our number one priority is jobs, and the way we we're going to go about doing that is to put another tax on, a corporate filing fee."

I'm at a loss for words to explain the rationale behind that. It will be counterproductive in a small way—it's a small fee—but it's another annoyance. It's not only the money involved but it's the red tape, the paperwork, going through all that process. Beyond the high level of taxation in the province of Ontario, if there is one concern of the business community, it's exactly that: It's the paperwork, the red tape, the forms that businesses in the province of Ontario are subjected to on a day-by-day

basis. Here's, again, another piece of paperwork.

I'm going to slide along to another aspect of this bill—there are so many aspects—and that is the part of the bill that deals with unclaimed intangible property. I know the member for Willowdale is very interested in this—

Mr Charles Harnick (Willowdale): I'm rather exercised by this.

Mr David Johnson: He's rather exercised about it, and he'll probably speak to it in greater length and with much more depth than I will. But it is a huge concern in the investment community, the investment community, the investment dealers, those involved with banking institutions, trust companies. They are extremely concerned about this piece of legislation. The government may say: "Well, why should we have sympathy for investment dealers and banks and trust companies? Why do they deserve sympathy?"

Mr Sutherland: They had a lot of good things to say about Bill 134.

Mr David Johnson: They didn't have much good to say about Bill 160, I can tell you that. I met with them this morning and they have nothing good to say. But when you get around to what people have had to say—and I thank the member for Oxford for reminding me—the Minister of Finance back in 1989—this was introduced by the Liberals in 1989 as well. Maybe I should state that little bit of history, that 1989 was a great year for the Liberal government. They were rolling in money. In 1989 they had something like 16 tax increases by the Liberal government: the personal income tax; fuel tax increases; the tire tax was imposed that year; retail sales tax increases; a container tax. Do you know what year the commercial concentration tax was introduced?

Mr McLean: The good old Liberals.

Mr David Johnson: By the good old Liberals. My friend from Simcoe East says the good old Liberals, and he's not saying that too sincerely. In 1989, 16 tax increases: a bad year in the province of Ontario.

Also in 1989, perhaps with a little less fanfare, the Liberal government introduced a bill regarding unclaimed intangible property. That's a bit of a tangle, but unclaimed intangible property includes, for example, if you have money in a bank and you forget about it—a small amount of money perhaps—and you have not claimed that for a period of time—

Mr McLean: The government takes it.

Mr David Johnson: The government takes it, as the member for Simcoe East says. We're talking about that kind of thing. If you have insurance proceeds that you forget about or stocks or bonds that you have somewhere but somebody's keeping them for you, somebody else is holding these things for you but you don't claim them, that's what's called unclaimed intangible property. In 1989, the Liberal government introduced a bill that would have dealt with this property and brought it into the province of Ontario.

Mr Harnick: What did I say? Monkey see, monkey do.

Mr David Johnson: Monkey see, monkey do, says the member for Willowdale. I'll leave that to you to

cover. But because of all the problems they ran into back there, the act did not get proclaimed. But I gather that within the bureaucracy, and perhaps within the NDP government, the embers were still burning and this was viewed as being another way to get their hands on money. The government estimates that some \$30 million may come to it from the unclaimed assets of the people—and businesses, I guess, but mostly people—of the province, that it will somehow get its hands on \$30 million in the first year and in subsequent years there will be a continued inflow of money, although perhaps at a lesser amount.

But when this was introduced in 1989 by the Peterson government—

Mr McLean: What did the Treasurer say?

Mr David Johnson: The member for Simcoe East wonders what the Treasurer said, and I assume you mean the current Treasurer.

Mr McLean: That's right.

Mr David Johnson: The current Treasurer, who was in opposition at that point, looking through Hansard, was very vocal about this point. I notice at one place he says, "There is a sense out there in the financial community that they have been snookered by the government on this bill." This is what the current Minister of Finance said just a few short years ago about a bill that he is now introducing. What's happened over the period of those years? The member for Oxford has accused the Liberals of flip-flopping on issues. My goodness, here's the Minister of Finance introducing Bill 160 containing exactly the same provisions today that just a few short years ago he called snookering the financial community. He said, "When it comes to specific discussion of this bill with the government, [the financial community] has not had it; it has not had discussion on the bill."

The interesting aspect is that the people I dealt with this morning, from the investment dealers and the trust companies, and this afternoon, some of the people in the banking community, are saying exactly the same thing: There have not been discussions on this bill.

The now Minister of Finance back a few years ago said, "Before anything definitive happens, you'll be consulted." He was dealing with the investment community. He said they'll be consulted, but they haven't been consulted. They've been telling us frantically that not only were they not consulted, they barely knew this was a component, one of the 18 components, of Bill 160.

Mr McLean: Tried to sneak it in.

1910

Mr David Johnson: They tried to sneak it in, and it has been found out. What they're asking is that this component of Bill 160 be divided off and considered separately. It is a major aspect of the bill and it does deserve that kind of debate, and to incorporate it into a bill that contains some 17 other provisions I don't think is fair.

The minister said back then that they really had not had an opportunity to deal with the bill and at that point to have a meeting, the financial institutions, the Canadian Bankers Association in particular, felt it was not fair to

have this laid on them at the last moment. The minister back a few years ago was expressing concern that the bill was laying onerous positions on the financial community. I just wish he had those same concerns today.

And on and on it goes, several points in Hansard. The minister deals with the lack of consultation with regard to unclaimed intangible property, and today we have the minister bringing in the bill under the same circumstances.

I received a note from the Canadian Bankers Association. I don't know how much sympathy there is out there for the Canadian Bankers Association. Probably most people feel they do quite well. But they create a lot of jobs in the province, a lot of jobs in the province are in the banking institutions; a lot of people who are not wealthy people work in banks. If our real motivation, as the parliamentary assistant started off this debate today by saying, is to create jobs, if our number one priority is to put in place a playing field that will allow jobs to be created in the province, we ought not to be imposing measures without consultation, measures that are going to have a negative impact on any aspect of our economic structure in the province, including the banking industry, including the trust companies, including the investment dealers. If we do, they will become less competitive and they will not be able to create the same number of jobs.

The representative of the Canadian Bankers Association has written to say, "We are writing to express the banking industry's profound concern with the provisions of Bill 160." Going down a little bit, they say, "Notwithstanding that one brief meeting, there has been no meaningful discussion on the subject despite the fact that the act was passed in 1989." There has been no meaningful discussion on this bill; this from the banking association. "The fact that the amendments were introduced as part of the Ontario budget, with its attendant secrecy, does not justify this lack of consultation." They go on to say, "We request that part 16"—which deals with unclaimed intangible property—"be removed from the bill for further review and discussion." I think that's a legitimate request and I hope the members of the government will do that.

Beyond the lack of consultation on this most important aspect of the bill, there are a number of other specific concerns. One has to do with the burden that would be imposed on the businesses associated with this. One trust company did an analysis within several of its key departments—this is one trust company—and estimated that it could cost up to two and a half times as much to comply with this act as the money it would turn over. For every dollar it would turn over in unclaimed assets to the public trustee, and that's how this act works, that the money that would be turned over to the public trustee—the public trustee, I might add, has come under fire by the auditor. The Provincial Auditor in the 1992 report had a great deal of concern with regard to the public trustee, and the public trustee is also gearing up to assume the substitute decisions legislation, which was a major piece of legislation. The public trustee's office is going to be hard pressed to deal with the substitute decisions legislation, and here is another onerous, major responsibility that will

be dumped into that office. But that's where the money is intended to go, and what's being said here is that it could cost two and a half times the amount of money turned over to the trustee to administer to comply with this act.

The bureaucracy in the public trustee's office is a major concern. Obviously, the public trustee's office would have to expand considerably to assume this. The public will be responsible, through their taxes, to deal with this major cost initiative in the provincial government. This has been a suggestion: If there's a problem at present in terms of, for example, people being able to receive their unclaimed intangible assets, why not look at the present system, which is administered through the banks and the trust companies? Why not look at beefing that up somehow or improving that somehow? I was going to ask, why create a whole new bureaucracy, but what we're doing is adding significantly to the existing bureaucracy, through the public trustee's office, to deal with that.

Another point that's raised, and perhaps I'll leave this to the member for Willowdale to go further into it, is that this act is at odds with the federal government. The federal government has legislation that deals with this specific area and the two acts would be in conflict. Our businesses would be compelled to deal with the two acts somehow. In terms of federal legislation at present, the Bank of Canada assumes unclaimed property, and this act somehow assumes that the Bank of Canada will turn over that unclaimed property to the province of Ontario so the province can bring it into its coffers and use the money to spend on some program. But there's a real concern that the Bank of Canada may not do that and that the federal government may not allow that to happen.

There are a great number of concerns associated with that aspect of the bill, and it deserves to be cut out from the rest of the bill and dealt with separately.

Another aspect of this bill is with regard to the Ontario Transportation Capital Corp. The government has set up a crown corporation that has the responsibility of managing transportation improvements in the province. There is a strong suspicion on this side of the House that the transportation corporation was set up to make the books of the provincial government look better.

In other words, projects such as Highway 407, for example, that could probably be accomplished through the transportation corporation were formerly done under the budget of the province. Now, with the setting up of the crown corporation for transportation, those kinds of projects will be done under the auspices of that crown corporation. It will be a separate entity and will report back in a separate fashion, so the books of the province will look better in that they will not contain expenditures for many transportation projects.

1920

Indeed, this year the transportation capital corporation has some \$600 million assigned to it for various projects, projects that I queried the minister about, but he was unspecific as to what projects they were. Highway 407 is listed in here at some \$300 million.

What we've been led to believe was that this crown corporation would do the projects and there would be another crown corporation, called a financial corporation, which would raise the funds to pay for the road projects that would be performed by the transportation corporation. We wondered where the financial corporation was going to get its money to pay for those road projects through the transportation corporation. The original concept was to use toll roads, for example. In the case of Highway 407, there would be tolls and the users of the road would pay for that project through the tolls that were put in.

But now we see, through Bill 160, that the government has other ideas in terms of where the money should come from; that is, redirecting various fees that already occur. For example, in 1995-96, right-of-way fees and heavy commercial truck fees will be reallocated out of the operating budget and into the crown corporation. In 1996-97, light commercial truck fees will be reallocated from the operating budget into the crown corporation, and on and on it goes. What the government is doing is taking fees that are currently in place, reallocating from its operating budget into the crown corporation.

I'm not sure why we went through this whole exercise if that's all this was about, but it also raises the worrisome prospect that we will have a crown corporation that will have a major say in all the fees and licences involved with transportation; for example, a permit for a motor vehicle or trailer, a licence plate permit, all the various fees, literally dozens of them, that we pay today. Once they're transferred to that transportation corporation, as Bill 160 recommends, then the transportation corporation, not accountable to the people of the province—this is a separate crown corporation that will not be directly accountable to the people—will have a say in these fees.

I don't like to think doom-and-gloom thoughts, but what will be the attitude of this corporation in terms of raising these fees or in terms of recommending that these fees be raised? I don't know the exact mechanism. We cannot determine the exact mechanism of how fees will be determined in the future, but it's worrisome to think that an independent corporation, not accountable directly to the people of Ontario, could raise motorist licence fees, fees for vehicles, trucks, light trucks, heavy trucks, any of the fees that are important to the people of the province. This corporation could have a major say in that, simply to raise money to pay for projects in the province of Ontario.

People might ask, what's wrong with that? What's wrong with raising funds for projects that need to be done on our roads in the province? Well, I can tell you that at present there is a great deal of money raised for transportation projects in Ontario.

In the budget for 1994-95, this government has said it will raise \$2 billion from gasoline taxes in Ontario. They have said they will raise \$740 million from vehicle and drivers' fees across Ontario. That's almost \$3 billion just in the gasoline tax and the vehicle and drivers' fees.

Indeed, associated with the auto industry and the gasoline industry, a huge amount of corporate taxes and

retail sales taxes, easily between \$3 billion and \$4 billion a year, would be raised in taxes in Ontario, let's say associated with motorists in general.

By comparison, the money put back into the road system in the province of Ontario—we have in the capital budget this year some \$1.1 billion in the capital budget for roads. We have, through the Ontario transportation corporation, another \$600 million, and the special project, Highway 407, another \$300 million.

If you add those numbers up, we already collect from the motorists of the province of Ontario more money today than we pay into road projects in Ontario. That wouldn't be any great surprise to the average motorist, when you pay for gasoline at the pump, when you pay for your annual licence fee. When you think of all the people across Ontario and all the businesses across Ontario paying those fees and those taxes, you add all that up today and it exceeds the investment going back into our road system in Ontario, already, today.

The moneys are not allocated for those purposes, which I think is a sad fact. Those moneys go into the general revenues of Ontario. They go to pay for welfare. They go to pay for anything you name in the province of Ontario. If we were to just take the money today that motorists pay in taxes and fees, there would be more than the investment in our road system in Ontario.

Through Bill 160, we will now have a crown corporation that will have the ability to take those moneys, allocate them presumably to specific projects, but will that corporation also have some leeway in terms of increasing the licence fees, for example, that we pay in Ontario today? It's a very worrisome prospect.

There's one other aspect of this bill that I think will cause a great deal of interest in Ontario, and it's a tough one. It has to do with education taxes in Ontario.

I have heard over and over again since I have been elected, as an alderman, as mayor, as a member of provincial Parliament, that the impact of the education taxes on the individual, on the business community, is enormous. It's a tremendous burden on senior citizens who own their own home, who have very low income flow, who have a house perhaps that's paid for but have a very small pension or have no pension whatsoever and are just making ends meet. They realize that of their property tax, in the municipalities I represent, higher in some other municipalities, 55% or more of the municipal taxes they pay go to education. This is a huge burden on them.

The Board of Trade of Metropolitan Toronto has told me in no uncertain terms that of the taxes it pays, and it compared property tax with workers' compensation, with employers' health tax, with unemployment insurance, the property tax was the number one evil in that regard, that the huge amount of property tax here in Metropolitan Toronto for all the businesses in Metropolitan Toronto was a huge disincentive and was causing a great deal of problems. So the education tax in Ontario is of great concern to the business community, to individuals.

The Fair Tax Commission recognized this. The commission reported back in January this year, a report that is collecting a great deal of dust at the present time—

Mr McLean: And will continue to.

Mr David Johnson: "And will continue to," the member for Simcoe East says, and I think he's right.

That report recommended that the education tax be taken off the property tax. Unfortunately, it recommended that the tax be put on the income tax, which would drive our income taxes right through the roof here in Ontario, but they recognized the impact of the education tax on the people and the businesses of the province of Ontario.

This bill is proposing for corporations in Ontario to reallocate the education tax to the separate school system and the public school system, within those two systems. Currently, corporations are able, through their shareholders, to allocate the education tax based on their shareholders. If 30% of their shareholders were separate school supporters and 70% were public school supporters, then the corporations could allocate their property tax in that way, 70-30. But of course that's unworkable and very little, I suspect, of the education tax from corporations is allocated in that fashion.

1930

What Bill 160 now proposes to do: It says take the corporation tax within a municipality, determine the enrolment of the separate school system, determine the enrolment of the public school system and allocate the tax on that basis. This would be a reallocation, in net effect, away from the public school system to the separate school system.

The numbers would indicate that the public school system in Ontario would lose about \$160 million; about \$160 million will be lost to the public school system across Ontario. However, because of that loss, the grant structure would kick in and the public school system would get an extra \$100 million in grants. There would be a net loss of some \$60 million to the public school system and a net gain in the separate school system of the equivalent amount, some \$60 million.

This bill also deals with grants in lieu, for example, grants in lieu pertaining to the telephone company. Again, as I understand it, this bill would allocate those moneys in proportion to the separate school supporters and the public school supporters.

This is a difficult problem. There's no question that the separate school system receives lower funding on a per-pupil basis than does the public school system. There's no doubt that the separate school system is struggling to give the same level of quality of education as is the public school system in the province of Ontario. I think most of us here in this House would say that every child deserves an equal opportunity of education. This is a problem that the separate school board has certainly brought to my attention and I assume has brought to the attention of many people within this Legislature.

At the same time, the public school board has argued that in terms of its needs it has to deal with many students with special needs. It has to deal with many students who do not have English as a first language, many people who have come from other countries, and it has many individual problems that require financing.

I know that both boards face an enormous problem. I

think when we get back to it, this is an issue that should be discussed. I know the boards will wish to discuss this. The public school board will wish to discuss this. The separate school boards I'm sure will wish to discuss this. The taxpayers of Ontario, the business community of Ontario, will wish to discuss this, and this is an issue that should not be hustled through in the last two weeks before a summer break. This is an issue that should be allowed public hearings and should be discussed in an open and frank way here within the province of Ontario.

The feeling I'm getting from this government is that they want to have limited debate on Bill 160 at this point in time. Even though we're dealing with 18 different aspects of a bill, varying different aspects of a bill, they want to limit the debate to some eight or nine hours at this point, and then they want to hustle it through third reading next week, so that by the summer break this whole thing will be a fait accompli.

Here is one aspect of the bill, and I've dealt with a number of other aspects of the bill, that I believe we owe it to the public to have an open debate on. We should let the people speak and I would hope that the government would take that initiative and allow that to happen.

Mr McLean: That's only right.

Mr David Johnson: "That's only right," the member for Simcoe East says. It's only right, but unfortunately we've seen too many aspects of bills that have been hustled through.

I see my good friend from Etobicoke-Rexdale, the Minister of Municipal Affairs across the way there, and I think of the limited debate we had with regard to the Ottawa-Carleton bill. Now, we did have a debate, we did go down to Ottawa, but there were so many groups that wanted to speak to that bill and so many people who couldn't speak to that bill, I would hope maybe we learned from that process and we'd realize that, from many different aspects, education is such a key aspect of our services here in the province of Ontario, not only the funding of education but the provision of education.

We have a royal commission out there beating the bushes. I don't know what they're doing. They're costing about \$8 million. Has anybody seen them? They're supposed to report back I think at the end of this year, but they're not talking about funding; they're talking about programs within the education system, and costing a great deal of money in doing that. Here is an aspect of funding and it should be debated.

Hon Mr Philip: When we try to streamline government, you're opposed to it.

Mr David Johnson: The minister says we're opposed to streamlining government. As a matter of fact, in the Common Sense Revolution we're suggesting government has to be streamlined. It has to start right here in this Legislature, Mr Minister, with the number of MPPs.

Interjection.

The Acting Speaker: Order.

Mr David Johnson: The minister says there are selective ways to streamline, but when we have a suggestion which starts right here in this House, then that's not the proper way to do it.

I said I'd send a copy of the Common Sense Revolution to the member for Oxford. I'll send a copy to the minister as well so he can see how we're proposing to streamline government. We have some very concrete ideas in here about how to streamline government, all governments.

Hon Mr Philip: We have one. We use it all the time. I tell people how you sent them back into the recession.

Mr David Johnson: We've got the minister riled there a little bit.

Interjections.

The Acting Speaker: Order.

Mr David Johnson: The member for Willowdale's asking about the deficits and the jobs.

Interjection.

Mr David Johnson: The prosperity? The prosperity is that we have over 100,000 fewer people employed today than we did in 1990. That's the prosperity. With prosperity like that, we don't need hard times, do we?

Hon Mr Philip: We didn't need the Conservatives in Ottawa and that's what happened.

Mr David Johnson: I see. The Conservatives in Ottawa now. One of these days, we're going to start dealing with the problems here in Ontario.

Mr McLean: Reality.

Mr David Johnson: Why don't we deal with the realities, as the member for Simcoe East says, here in Ontario? Instead of dealing with what they're doing in Ottawa, let's look here in Ontario and see what we can do for ourselves.

Hon Mr Philip: Ottawa did.

Mr David Johnson: I would encourage the minister to look right here and see what can be done.

Bill 160 also introduces amendments to the Health Insurance Act, and the regulations I guess that will come out as a result of the amendments to this act will determine exactly what's going to happen here, but apparently coverage for foreign students and foreign workers will be eliminated. There'll be a three-month waiting list for new Ontario residents to have OHIP coverage.

This government seems to be so enamoured of the health care system—we all are, but they go to particular pains to indicate how protective they are of the health care system—and yet day in and day out they're chipping away at the health care coverage in Ontario. In this case, it's the health care for foreign students and workers, and I suppose they feel that there won't be a whole lot of sympathy for people in that category.

More recently, they have downgraded the health care for Canadian residents who will be visiting in other countries. The province now will only pay \$100 a day for those who need emergency hospital treatment, for those people travelling outside of Canada. Shame.

Hon Mr Philip: What does Alberta pay? Thirty-five dollars. That's the Tory government.

Mr David Johnson: Why don't you pick some other government, some other country somewhere else? That picks even less. The point is, what are we doing here in

Ontario? The minister was elected here to serve the people of Ontario, not the people of Alberta.

1940

The Canada Health Act: The minister may wonder, what does the Canada Health Act say? The Canada Health Act says, "Where the insured health services are not provided out of Canada, payment is made on the basis of the amount that would have been paid by the province for similar services rendered in the province."

What is the rate here in Ontario? It's deemed to be \$400 a day for emergency hospital treatment. What are they paying outside now, as a result of a new initiative from this government? For seniors, Ontario residents who visit the United States, for example, what amount is paid? Only \$100 a day, so they'll have to pay out of their own pocket. What about the senior population who have served Ontario, built Ontario for years, now visit Florida, for example, in the colder months? What if the snowbirds run into medical difficulties in Florida? They pay out of their own pocket, even though the Canada Health Act says they should get equal treatment. Ontario, hiding behind Alberta or someplace, says: "No, sorry, we only give you \$100 a day. You pay the other \$300 a day yourself. We don't care how long you've lived here in Ontario. We don't care that you've helped build our province. We don't care how many taxes you've paid this year and over the years. You pay the extra money yourself."

So we have the snowbirds now taking the province to court on this very issue, and rightly so. Isn't that a sad state of affairs, when the senior citizens of the province of Ontario, simply to get the health care they're entitled to, the health that they have paid for through the years—

Mr McLean: And earned.

Mr David Johnson: And earned, says the member for Simcoe East. They have to take this province to court to get that health protection they're entitled to.

Mr McLean: Which is a federal law.

Mr David Johnson: And it's a federal law. A federal law says they're entitled to that, but not here in Ontario. Here in Ontario, I guess we don't care about federal laws. We don't care about seniors. They have to pay the extra amount.

You know, \$55 billion a year is spent, and think of the fraud in the welfare system and all the other fraud—

Mr McLean: Health cards.

Mr David Johnson: How many health cards are out now that are not accounted for?

Hon Mr Philip: I don't know. How many health cards are out?

Mr David Johnson: The minister doesn't know either how many health cards they're out. Minister, there must be over 500,000 health cards they're out by. When you think of the fraud in Ontario in the health system, do we focus on that or do we focus on making the snowbirds, the senior citizens, pay the extra \$300 a day for? This is emergency hospital treatment we're talking about, treatment they absolutely have to have; they have no choice in the matter, they have to have that treatment. So

that's what we focus on in a \$55-billion budget.

My time is running down to the last few seconds. I will simply say that when you look at the financial situation of the province, look at the unfortunate economic climate for businesses in Ontario, it's gloomy. But we have the entrepreneurial spirit, we have the people, and if bills like this are properly addressed, and if we can not clutter the private sector—

Interjections.

Mr David Johnson: Mr Speaker, it's impossible to speak over this din.

I simply urge the government to take another look at Bill 160 and separate out the points that need to be further discussed before proceeding with the whole thing.

Mr Sutherland: We've just had an hour and a half of lack of real information, of attempted commentary. Let me just comment on the comments you made about seniors. Let me say that the seniors in the province of Ontario are better treated than seniors in any other province in this country. Let me tell you why: Seniors here don't have to pay a copayment on their drugs; seniors here were actively involved in the long-term care reform initiative where over 70,000 people participated, long-term care that is going to meet the needs of the seniors. It's going to meet the needs of the seniors.

The member also talks about financial situations. He talks about unfunded liabilities and pension plans. How did they come about? Who was the government at the time that allowed those unfunded liabilities to grow substantially? If we go back and look at the Tory record we will see that this is another example. I mentioned earlier about Ontario Hydro and Workers' Compensation Board, how they weren't managed. If we go back and look at the real history of how some of these unfunded liabilities in pension plans accumulated, the story will tell, history will tell, and facts will tell that a lot of it happened during the Tory government.

I think the clear thing here is that the member didn't talk about all the good things this government has done, as I mentioned earlier, about the job creation, about that being the number one priority, and how we are making Ontario a better place for people to invest. That's why there's been \$4 billion of investment in the auto industry since 1990. That shows confidence in the province of Ontario. Ontario's economy is improving. People are going back to work. They're getting jobs. They're being able to support themselves. This budget is going to continue that, and I wish the member for Don Mills would recognize that fact.

Mr Stockwell: I think that considering the number of pieces of legislation that are a part of this bill, the member for Don Mills brought quite a bit of topical information to the legislation that we're dealing with today. It's rather discouraging to—

Interjection.

Mr Stockwell: Sorry? The member for Middlesex was chirping again. I didn't hear it.

The information that he did bring was insightful. The difficulty is that this is such a wide-ranging, broad piece of legislation that it's very difficult to think that you

could handle it during this little bit of time that they're allotting for—is it 17 separate pieces?

Mr David Johnson: Seventeen.

Mr Stockwell: Seventeen separate pieces of legislation. As broad and wide-ranging as the question was asked today about the moneys that are left in bank accounts, turned over to the public trustees—all kinds of tax implications to this piece of legislation. It seems to me that when you're talking about a measure this broad that you would allow enough open and public debate during the Legislature to the weight it deserves. It seems discouraging to me that we would deal with it in one night from, say, 5 o'clock till midnight, dealing with that complicated piece of documentation.

I say across the floor to the member for Oxford, who tends to jump up and take the defence of the government at any call—as far as he's concerned they've done no wrong and they've done all right—I would say to the member for Oxford, if that is the case why do we have record unemployment levels, why are the welfare rates higher than they've ever been before, why are deficits so high, why is our debt going to approach \$100 billion next year? That's what constituents ask me: Why, why, why?

The one thing you talked about: Ontario Hydro. You keep coming back with the deficit and the debt etc. I will remind you that your party had a promise: It was going to stop Darlington. You were going to stop it. You were going to stop that dead in its tracks from the day it was announced and you were going to go to government and discontinue it. Well, you know, it seems kind of funny that this government decides at this late date, when they get elected, that that promise was as hollow as the rest of them.

1950

Mr David Johnson: I thank the member for Oxford and the member for Etobicoke West for their comments. The member for Oxford asks: Who was in power when these deficits etc were raised? He presents a large target when he says that and I'm kind of surprised because the biggest debt, if you look at the debt of the province of Ontario, the debt of Ontario Hydro, the unfunded liability of workers' compensation and the unfunded liabilities of the teachers' pension fund and the public service pension fund, the biggest aspect of that is the debt of the province of Ontario, some \$90 billion at the end of this fiscal year. Who was in government when we ran up that debt? When the NDP took office in 1990, the debt was about \$45 billion. At the end of this fiscal year, according to the Treasurer of Ontario in the 1994 budget, the debt will be over \$90 billion. Simple arithmetic says that there's some \$45 billion of debt that this government—

Mr Sutherland: Who ran it up?

Mr David Johnson: The member for Oxford says, "Who ran it up?" It was the NDP that ran up that \$45 billion. That's the greatest chunk of the outstanding debt. In terms of some of the others, sure, all governments have been a participant in running up this debt. But are we going to simply point fingers or are we going to look at how we can get out of this mess today? I think the

member for Etobicoke West was referring to that.

Interjection: We made the tough decisions.

Mr David Johnson: You "made the tough decisions." You made the tough decisions and yet spending is still up this year over last year. The spending is higher. You love to say the program spending is lower, but look at the spending in the province of Ontario. It's higher this year than it was last year—no decisions. Tinkering has been made. Tinkering. That's all you've done with the budget, and we need real action. That's what the Common Sense Revolution is recommending.

Hon Brian A. Charlton (Chair of the Management Board of Cabinet): It's a pleasure to rise this evening to speak to Bill 160 and the focus of my comments this evening will be on the pension issues because although it is the Minister of Finance's legislation that's here before us tonight this is a piece of that legislation for which I have primary responsibility.

It's interesting listening to the debate because we often have to remind ourselves not only of who did what but what the alternatives are. The Tories stand up in the Legislature here and promote themselves as an alternative and the reference by the member for Don Mills was just made in his last remarks to the \$90-billion debt in the province of Ontario where the carrying charges on that debt are 15 cents on the dollar. But after good Tory management in Ottawa for a decade the carrying charges on the federal debt are at 35 cents on the dollar. If that's the road they want to lead us down—and let's talk about some of these issues in the context of their consequences in the province of Ontario.

The member for Don Mills and the member for Scarborough-Agincourt have been on their feet a number of times in this House raising questions about the changes we're making in this legislation to the OPS pension plan. The members opposite will recall that all through the spring leading up to the budget there were serious rumours about cuts in transfer payments to municipalities, school boards, universities, colleges, hospitals, cuts in the welfare rates in this province, and a number of other very dire predictions. I have to give some good thanks to the leadership and the membership in OPSEU, because thanks to the good graces and the good sense of a bargaining agent who understood a difficult situation, unlike some members of the opposition, and a bargaining agent who was prepared to sit down at the table and discuss government reductions in both their contribution rates and special payments to the pension plan in order to save significant numbers of public sector jobs to the tune of about 15,000, and other vital services in this province—these issues have to be discussed in the context of what they are, what they're intended to do and what the alternatives to those particular measures are.

The member for Don Mills in his comments raised the remaining stakeholders who are left in the OPS plan—the OPPA was his specific reference—and he alluded to the independent actuary whom the OPPA hired, Mr McCrossan, a former Tory MP. In the member for Don Mills' comments, he suggested that Mr McCrossan—

Mr Stockwell: The guy's an actuary, for Christ's sake.

Hon Mr Charlton: That's right. He's one of many. The member for Don Mills, in any event, suggested that we should, as a government, have hired an independent actuary, as the OPPA did, which was the silliest comment of this debate to date.

The number of actuaries who have looked at the work that has been done on the OPS pension plan is staggering. Mr McCrossan is only one of them. The member for Etobicoke West, in his two-minute set of comments, was suggesting that the time this evening was not a particularly appropriately long time to debate this question, and that's perhaps correct when the assumptions in the debate are so often based on incorrect information. The debate always takes much longer in that kind of a case.

The assumption, first of all, that's been made by both the member for Don Mills, and the member for Scarborough-Agincourt on a couple of occasions in questions here in the House, is that our actuarial assessment of the OPS pension plan and the split into the remaining OPS pension and the new OPSEU plan was done by government actuaries and by government actuaries alone. That is not a correct assumption.

Mr Gerry Phillips (Scarborough-Agincourt): Nobody said that.

Hon Mr Charlton: I said that.

Mr Stockwell: Who said that we didn't say it?

Hon Mr Charlton: He just suggested that we didn't have independent actuaries look at the split. Not you, the member for Don Mills.

The Acting Speaker (Mr Noble Villeneuve): Order, please. Please address the Chair and it would be a lot less confusing.

Hon Mr Charlton: Mr Speaker, the member for Don Mills suggested that we, as the OPPA had done, didn't have independent actuarial advice. First of all, the actuarial report upon which all of the assumptions about splitting the plan were made was not done by the government at all. It was done by the independent actuaries hired by the Ontario Pension Board, an independent agency that manages the OPS pension plan. Those actuaries work for a firm named Mercer's. They did the actuarial report upon which all of this work has been based. None of that work was done by the government.

Secondly, in the process of sitting down and negotiating the split of the plan with OPSEU, we had, yes, government actuaries working on that process; we also had independent actuaries who had been hired by the Ontario Public Service Employees Union to look after their perspective in all of this. But in addition to that, because we didn't want to make a mistake, the government went out and hired Towers Perrin, a gentleman named Shiraz Bharmal, who is also one of the most well respected pension actuaries in the province of Ontario, for an independent view of everything that was done and negotiated in that package.

The interesting point about the member for Don Mills's reference to Mr McCrossan and the OPPA position is that, yes, Mr McCrossan is a respected actuary and, interestingly, when Mr McCrossan some weeks ago sat down with our actuaries and went over all of the

detail of the pension plan split, Mr McCrossan had to agree that the government had not jeopardized either plan in the split. He did state a preference, and I'll set that out clearly, for one over the other, but Mr McCrossan said clearly to our actuaries that the government had not jeopardized either plan in the split. Both plans are fiscally and actuarially sound, and that's the premise on which the government has worked from day one.

But I think even more importantly than that, there are some who have made reference to a sweetheart deal with OPSEU: that we negotiated joint trusteeship with OPSEU in a separate plan; that we granted a 1% premium reduction for three years to the members of OPSEU; that we extended factor 80 until March 31 in the year 2000.

Well, the present circumstance in the remaining plan, in the OPS plan, is a circumstance where the government, for the moment, is still totally responsible for that plan. We are the sole guarantor of the remaining plan. In the OPSEU plan, OPSEU has assumed 50% liability for all future shortfalls.

2000

In the OPS plan, which remains for the OPPA, for the government lawyers, for the engineers, for those in the new unrepresented unit, for those in management and for a few of our own staff who work for the caucuses and for MPPs, those employees are all still in a plan that is 100% guaranteed by the government at this point. So all future liabilities will be the responsibility of the government, not of the employees in question. They are fully protected.

But even taking it a step further than that, we have said to all of the stakeholder groups in those other employee groups that we are prepared to begin discussions with them, if they so choose, around the questions of governance around that remaining pension plan. If the OPPA and the lawyers and the engineers and the other groups involved want to sit down and start to work towards a jointly trusted plan like we've agreed with OPSEU, we've said we're prepared to start working in that direction.

In addition to that, the 1% contribution reduction which we've negotiated with OPSEU will be extended to all of those other employees, and the extension of factor 80 early retirement until the year 2000 will also be extended to all of those other employees.

I guess to put it as clearly as I can, in this set of pension negotiations and in the split which this legislation reflects, nobody's pension benefits have been changed, nobody's pension benefits have been threatened, both of the plans are actuarially sound and these employees in the remaining plan have a clear choice. They can either sit back and say and do nothing and remain in a plan that continues to be guaranteed by the government, and all future unfunded liabilities guaranteed by the government—the existing one already is—or they can sit down and commence the negotiating process to start to move towards a new governance model, because we want to eventually see all employees in this province reaching a stage where they in fact have a say, not only in the benefits they may negotiate for pension purposes but in how their pension plan is operated and administered, how the investment decisions are made and all of those other

things that become important to employees, that become part of this issue, that have to at some point be resolved for all of the employees in question.

I think there's a number of other important aspects to all of this that my colleagues across the way have neglected in this debate. The member for Don Mills has suggested in his comments—and the member for Scarborough-Agincourt will mention it, no doubt, later on tonight—the fact that by reducing its contribution rate to both the OPS pension plan and to the OPSEU plan and by reducing the government payment of special payments to those plans, we're reducing our commitment to the unfunded liability.

First of all, the 40-year payment schedule which was set out not by this government but by the previous Liberal government will be met by this government. It will not be extended. The unfunded liability will be paid off in a time frame that the members across the way felt was adequate, appropriate and fair.

But even more than that, if the members across the way will take the time to sit down and read the sponsorship agreement and the plan agreement that the government has reached with OPSEU, they will see in that agreement a commitment on the part of the government, jointly with OPSEU, to proceed in any and every way that we can to reduce the 40-year time line and to pay off the unfunded liability as soon as is humanly possible.

That was one of the major points that OPSEU raised with us during the negotiations, because, as is the case with the taxpayers of this province and the members of the Legislature, the employees who rely on the future viability of that pension plan want to see that unfunded liability paid off and paid off as soon as that can happen. I'm not going to go into all of the very complicated details of that agreement with OPSEU, but if the members across the way could find it in their hearts, rather than flying by the seat of their pants in this debate, to sit down and read that sponsorship agreement, they would find a very responsible and a very determined approach, both on the part of the employer and on the part of the employees, to deal with that question.

Another issue, which the members across the way have neglected in all of this debate when they talk about a sweetheart deal with OPSEU, is that in the splitting of the plan, the unfunded liability doesn't all reside with the remaining OPS plan. The assets are split and assets go the OPSEU plan. The unfunded liability is also split on the same ratio and that unfunded liability moves with the assets to the new plan. The commitment that was reached in the negotiation with OPSEU, if it does nothing else, will force this government, in a signed agreement, which the previous government never subjected itself to, to work to reduce the time that it takes to pay off that unfunded liability.

The previous government, as you are well aware, Mr Speaker, because you were here at the time, simply arbitrarily set out a 40-year payment schedule—didn't negotiate that payment schedule with anybody and didn't agree, under any circumstances, to attempt to reduce the payment time lines. We have now done that, in an agreement with OPSEU, and, as I've said, we're prepared

to sit down in discussions with the other bargaining agents, with the other employees who are a part of the remaining plan, and start the same process with them.

We're prepared to start to reach consensus and understanding with all of the employees who still remain in the OPS pension plan, both for the protection of their present pensions but, more importantly, for the protection of the long-term viability of their pension plan, because it happens to be one of the most important aspects of the whole process that we're talking about.

The member for Don Mills also raised in his comments that the OPSPA had approached us after we completed our negotiations with OPSEU and, for the first time in their history, suggested that they would like to see a similar situation for themselves. They'd like to split off into another separate pension plan.

OPSEU has been attempting for 20 years to negotiate a split of the OPS pension plan. Since the Liberals passed their legislation in 1989, legislation which again, Mr Speaker, you're well aware, created the framework for splitting the plan—this government didn't create that framework; the former Liberal government created the legislative framework for splitting the pension plan—OPSEU has been working full out towards a split.

When we approached OPSEU some months ago to come to the bargaining table, they were ready, with all of those years of work at their fingertips. The splitting of a pension plan is very complex. It's a matter that no member should ever take lightly, and that's especially true of the member for Don Mills and those in the OPSPA who have talked to him about another split. Other splits may occur in the future; that's a possibility. But there is no other bargaining agent who is a member of the OPS plan who has done the work and the thinking to understand the process.

2010

I'll just repeat, when the Liberals passed the legislation in 1989, OPSEU started working the next day towards the split that we finally agreed to with OPSEU. There are mountains of work ahead of those who would contemplate future splits before we can proceed, because it's such a delicate, complex and important matter, both to the future security of their own pensions and to the future security of those who are left after another split might occur. So none of those issues is beyond the pale. None of those issues should be tossed aside lightly; neither should they be run at like a bull chasing a matador. They are issues that have far too much importance to people's futures to deal with other than in a very professional and careful way.

Now, there are a number of other aspects of this pension split that I think have to be dealt with in this debate, because, again, the members across the way have raised questions and at least tried to create the impression that the government was going to be creating a big problem by what it's doing.

I started out my comments by saying, and I want to go back into that aspect of it, that what we're doing with these pension plans has to be weighed not only in and of itself, but it also has to be weighed over and against the

alternatives. In and of itself, this pension deal with OPSEU and the pension plan and the offer we've made to the remaining employees is a good one. I repeat: The pension board actuaries, the government's actuaries, the independent actuaries at Towers Perrin that we hired, OPSEU's actuaries and even Mr McCrossan, who was hired by the OPPA as an actuary, all agree, without exception, that the split into the two plans, the OPSEU plan and the remaining OPS plan, is a sound actuarial split. Neither of the pension plans is in jeopardy. Neither of the pension plans will have difficulty maintaining both its liabilities and responsibilities to plan members and retired members. Neither of the plans will have the unfunded liability payment schedule extended. Put another way, in terms of their security, both plans have maintained an identical security circumstance for the employees involved to that which existed before the plan was negotiated.

The alternative, and I go back to it, that the government was confronted with in terms of whether to proceed with these kinds of discussions around the pension split or to deal with its fiscal circumstances in other ways, I think, and if the members across the way think about it—the member for Don Mills, for example, during the course of his comments, and I don't remember what all of the comments were, made reference to his time on municipal council. I go back to suggesting to the members across the way that they need to think very carefully about the criticisms they make about the approach this government has taken in terms of its fiscal circumstances around the budget, because we didn't reduce transfers to municipalities and we didn't reduce transfers to school boards and colleges and universities and hospitals, and we didn't cut social services, social assistance rates to the most vulnerable people in this province, all of which was rumoured and all of which may have come true if we hadn't found alternative ways to deal with part of our fiscal pie.

You can't deal with each of the pieces of a package like this totally in isolation. Yes, each of them has to be measured unto themselves, but the debate that's coming from the opposition deals with each of these items in silos and never makes the connection between the silos. That's a big problem, because if that's how they would purport to run this province, then the \$90-billion debt that the member for Don Mills was complaining about a few moments ago when he was speaking would look more like the federal debt at 35 cents on the dollar.

The member for Don Mills made reference to the fact that there were 100,000 fewer jobs in Ontario in 1994 than there were in 1990. You will recall, Mr Speaker, that 1990 was right at the end of the largest single boom period in Ontario since the Second World War; 1994 is at the end of the worst recession since the Great Depression, and we're on the way back up.

Yes, the jobs recovery has been slower than any one of us would have liked, but it has begun. Yes, the profit recovery and the reorganizational recovery in business is happening faster than the employment recovery, but for anyone to suggest that at the end of the worst recession since the Great Depression you should be at or above

what you were at the end of the biggest boom period in the province's history is just a bit much. The biggest boom period in the province's history, like the boom in every other sector of our economy, is the peak, not the norm. We all know that in every sector of our economy, whether it's real estate, whether it's steel, whether it's auto, all of those industrial sectors, commercial sectors and the retail sector, they have boom-and-bust cycles. You don't equate the place those industries are at at the end of a recovery with where they were at the end of the boom.

If I went out and looked at the steel industry in the province and talked to the executives at Stelco, Dofasco or Algoma and asked them why their production and profits aren't above their 1989-90 levels, they'd laugh at me, as they would at you for suggesting the same thing. If I went and talked to those in the auto sector and asked them why their production levels and their profit levels haven't surpassed their 1990 levels, they'd fall on the floor laughing.

The kinds of policies and programs this government has pursued have started us down the road to recovery. It's not happening as fast as anyone would like it, but the alternatives that are being suggested by some on the other side, the alternatives of not having done some of the very important things that are part of this bill, like the pension package, would have cost the loss of 15,000 jobs in the broader public sector.

In the municipality that you represent, the one you were formerly the mayor of, you'd be laying off staff, and at the school boards in Hamilton and Thunder Bay they'd be laying off teachers. In the hospitals, which are already extremely hard-pressed by the changes that are going on in the health care sector, if we had had to reduce hospital transfer payments further, the jobs consequence would be horrendous.

It doesn't matter how you cut the pie; you can't get away with avoiding the alternative when you decide to kick the first choice.

2020

Mr David Johnson: I see the clock's just changing. Okay. We're certainly very thankful to the minister for explaining the benefits of this government in terms of increasing the debt from \$45 billion to \$90 billion. I'm sure all the taxpayers are thankful for that, and that's reflected in the polls that have been taken in the province of Ontario over the past few months.

But I have three specific questions for you, Mr Minister: Number one, you've charged that I didn't have my facts correct. I'm speaking the message of the Association of Management, Administrative and Professional Crown Employees of Ontario, AMAPCEO, and they have charged that you have reneged on your assurance that if the assets of the plan were split, and that's what I was talking about, that all the stakeholders would have to agree on who would perform the initial valuation, who would be the actuary. They say that you did not give them the ability to have a say in who that actuary would be, and that's what I said in my speech. I believe the OPP didn't have that right either. So they say you have reneged on your agreement with them.

Secondly, one section of the OPP's sectoral agreement from the social contract, section 7, stated explicitly that there would be no split of the pension plan assets. That was one year ago, and now you've split it today. How can you do that when you made an agreement just a year ago? That's the second point that I made.

Thirdly, because of the deal that you made with OPSEU, you had the opportunity to pay down—and you've admitted this in your own speech—the debt for the unfunded liability over a three-year period by almost \$1 billion. Minister, why did you not take that opportunity? The people of the province would say that if you can pay down the debt of the province, which is increasing astronomically, you should have taken that opportunity. Why didn't you do that?

Hon Mr Charlton: The member opposite from Don Mills obviously listens to parts of people's speeches but not all of them, because I've answered his questions already during the course of my speech twice.

It's very simple, and the members opposite are going to have to come to terms with looking at initiatives and alternatives. The alternative for the government of Ontario of not proceeding to do what we did would have been to cut transfer payments to municipalities, school boards, hospitals and others. It would have cost 15,000 jobs in the province of Ontario. All of those people, as the member well knows, would end up on social assistance and adding costs to the debt of the province.

It doesn't make any sense. Think about it. It doesn't make any sense. If you're going to talk about reducing the debt of the province, then you have to take a full-debt perspective in terms of the debt the province has.

Yes, there is an unfunded liability in the pension plan. It is an unfunded liability that's guaranteed by the province that was set out in a 40-year payment schedule by the former Liberal government. Those payments over the 40 years will be met. The unfunded liability at the end of those 40 years will be zero. It is our hope, as a result of the negotiation with OPSEU, that the unfunded liability in the OPSEU portion of the plan, now that it's been split, will be zero long before the 40 years are up, but that unfunded liability, even if it takes the full 40 years, will be paid off.

So why would the member opposite want to suggest that we should have taken that money and put it towards an unfunded liability that is already on its way to being paid off and, at the same time, increase the \$90-billion debt that the province of Ontario has that he's complaining about? It doesn't make any sense.

The Acting Speaker: Further debate? The honourable member for Scarborough-Agincourt, as lead speaker and as previously agreed to, has up to 90 minutes.

Mr Phillips: I might start by saying I appreciate the members of the House agreeing to let me speak somewhat out of turn.

Ms Sharon Murdock (Sudbury): We did it for you, Gerry.

Mr Phillips: That's very kind of you. I appreciate it.

Ms Murdock: We wanted to hear you.

Mr Phillips: You're here to hear me, and I appreciate

that too. I might begin by saying that I hope people out there watching this appreciate that what we're dealing with here is an extremely important comprehensive bill. To use the jargon we use around here, this is an omnibus bill dealing with 13—actually, I'm sorry, it's 17—major separate pieces of business here in the Legislature, many of which I think should be separate bills so that we would have an opportunity for a very detailed debate, because we're dealing with the pensions of 100,000 people, billions of dollars of their money, billions of dollars of taxpayers' money at stake.

We're dealing with the whole issue of toll roads, the capital corporation. We're dealing with what many in the financial community view as an enormously important aspect of this bill called the Unclaimed Intangible Property Act. We're dealing with something called the labour-sponsored venture capital corporations. Each year the taxpayers of Ontario are spending \$60 million or \$70 million on this alone and we are dealing with it almost at the snap of a hand here in the Legislature.

I think it's fair to say that many of the parts of this bill should go to committee and we should have an opportunity for a good public debate on it, and I'm frightened that we're not going to. I'm frightened that the government is going to try and get this bill through in the next two weeks and that the public will not have an opportunity for the necessary input.

I'd just like to begin perhaps commenting slightly on points made earlier around the whole issue of the pensions. I think it's fair to say that this one, for me at least, is particularly concerning. If the public aren't aware of this, they should be aware of this. What we're dealing with here is that the government plans to defer any payments at all against a roughly \$3-billion unfunded liability in the public sector pensions. So the government's saying, "We're going to take a three-year holiday from making any payments against that," and there's a \$3-billion unfunded liability. In other words, the public owe \$3 billion to the pensioners. The government of Ontario has 100% of that responsibility and the government has taken a three-year holiday from making any payments against it.

I would also say that the government of Ontario has taken a three-year holiday from making any payments against a roughly \$8-billion unfunded liability in the teachers' pension fund. One of the ministers across the way said, "If we didn't do this, we would have had to cut spending elsewhere." Let's be very clear on this: The spending is going on in these unfunded liabilities every single day. These unfunded liabilities are growing. Because we're taking a holiday, they are growing at the rate of about \$800 million a year. So the unfunded liabilities are continuing to grow at \$800 million a year and we're making no payments against them.

It isn't as if we've kind of saved this money, that we've got a three-year saving because the actuary said that the unfunded liability was less than we thought it was before. The unfunded liabilities are growing at the rate of \$800 million and we're making no payments against them. That's serious.

The minister, as I say, said, "If we didn't do this, we

would have had to cut spending elsewhere." It's all an accounting trick. I will say this: The money markets, the people who watch the finances of this province, understand that. Frankly, no wonder the credit rating agencies have the microscope on Ontario. It's because they see through these things.

2030

Another part of the legislation we're dealing with here is that each year the province of Ontario, historically, contributes 8% of the salaries of the employees into the pension fund. Under this proposal, the plan is that the province will not contribute 8%; they will contribute about 3%. So instead of 8% of the salaries of the employees of the province, it will be 3%.

I have been told that the government has sound actuarial backup for this. I have been also told that they've had some conflicting advice on it, that the actuaries do not necessarily agree that this is a sound decision to make. But I would say this: We are talking about hundreds of millions of dollars here and these are dollars that we have the responsibility here in the Legislature for looking over on behalf of the taxpayers. So that's the second part of the pension issue that I think would benefit from going to a public hearing, where we would have an opportunity to hear what I think is conflicting evidence.

I understand OPSEU has negotiated this deal, and that's good. I have a lot of respect for the leadership of OPSEU, and I understand it's an agreement between the government and OPSEU, and that's fine.

But I think the public probably are aware that this plan splits the pension into two. There is the OPSEU plan which essentially involves current employees. None of the retirees will be in the OPSEU plan. So the OPSEU plan has been negotiated. There is a comprehensive memorandum of agreement, the sponsorship agreement, as it's called—and I will say I've read the thing—between OPSEU and the government, and that's fine. The OPSEU plan is set up.

The OPSEU plan is set up, involving all of the OPSEU members, 55,000 in the OPSEU plan, virtually everybody currently working. The other plan that's been set up will have 34,000 active members—in other words, people who are working right now—and 40,000 retirees. I think it's kind of an unusual plan, with more retirees than active members.

That begins to raise questions that I think require members of the Legislature to review them, for these reasons. One is the three-year holiday from any payments against the unfunded liability, and as I said earlier, that continues to grow. That's not just sitting there benignly at a standstill for three years. It's growing and we are paying interest on it, 7½% to 8% interest. In some respects we're paying heavier interest than had we gone to the market to borrow the money. That is growing.

And there is, I think, a legitimate question to be asked on behalf of all of the 40,000 retirees: What is the justification for the reduction from 8% of salary to 3% of salary? What is the rationale for all of the retirees being in one plan, and how was that determined?

I'd been told earlier, "We can't delay this, because we need the money." I would say, that's simply not true. The government has the authority, when the bill's passed, to retroactively claw back the money. The government did this with the teachers' pension: actually went back and took cash out of the teachers' pension. I will say, it was most extraordinary, because the teachers' pension has an unfunded liability of roughly \$8 billion.

It would be illegal for the pension commissioner to ever approve taking money out of a pension fund with an unfunded liability. It just can't be done, and you can understand why. Do you remember Conrad Black? Do you remember the famous Dominion Stores exercise where the board of directors of Dominion tried to take money out of a pension fund that had an actuarial surplus? There was the evidence that it had the surplus; it couldn't be done. But the government actually passed legislation that permitted it to take cash out of a pension that had an unfunded liability of \$8 billion.

Mr George Mammoliti (Yorkview): The reasoning behind it, though, eh?

Mr Phillips: The member says, "The reasoning behind it." I understand the reasoning behind it. But my point is this: The Pension Benefits Act is an act passed by the Legislature to protect pensioners in the province, and there's a commissioner of pensions. This bill we're passing—

Mr Arnott: It is not passed yet.

Mr Phillips: It's not passed yet, and I hope we will have a chance for a good airing of this at a public hearing. But this bill, if passed, exempts the government from getting any authority from the pension commissioner and it bypasses the Pension Benefits Act. That may all sound like jargon, but it is most extraordinary. In fact, I don't think there would be any private sector company that would be permitted to bypass the Pension Benefits Act, exclude itself from the Pension Benefits Act. But this bill does that.

Listen to this: The plan "shall be deemed to comply with the Public Service Pension Act and the Pension Benefits Act and the regulations made under that act so long as it complies with this act." In other words, the legislation completely exempts the scrutiny of this act from the Pension Benefits Act and from the pension commissioner. That is in my opinion a most extraordinary move because it essentially says they can't look at it. "We will pass this and we will do what we proposed in our plan and they can't comment on it."

So who is speaking on behalf of these people? It's the Legislature, but we are going to have a very limited opportunity for debate here and we will not have an opportunity, I'm afraid, if we don't get agreement to move it to committee, for it to be aired at committee. I repeat that we're not dealing with some small matter here. We're dealing with the pensions of well over 100,000 people. We're dealing with, as I said earlier, an unfunded liability of probably by now \$3 billion, of assets of \$14 billion.

I understand the motive of this. The fundamental motive is to try to find a way to delay payments. The

fundamental motive here is to find a way to delay making payments into these pension funds for some time. But I will just say to all of us that this is not a savings of spending; the spending's going on. It is a reporting of lack of payments. And we're going to go along with no payments for three years and then it will click in at about \$800 million a year. So you go along making no payments for three years and then it clicks in at \$800 million a year.

The members opposite will know as well as we all know that to find \$800 million is extremely difficult: zero to \$800 million in any one given year. We all appreciate that that is an enormous amount of money, to suddenly find a new \$800 million. That's what we're buying with these two plans, the teachers' pension plan and this one: deferred payments. We essentially are deferring payments here. We shouldn't be fooling ourselves. As I say, we'll go for three years, zero, zero, zero, and then a brand-new \$800-million expense. I worry about that. I worry that any government, to find an incremental \$800 million, is going to be very stretched. I repeat, I think we all have seen the difficulty of finding \$1 million, but \$800 million in three years.

2040

If I'm wrong on these numbers, I would like to know because I've done the best research I can do on it, and I guarantee you there is an enormous new hit in three years.

I know why the teachers agreed to the plan. In my opinion, it was part of trying to work their way through the social contract, looking for ways that they could minimize the impact of the social contract. I understand all of that.

I understand there are some significant benefits for OPSEU in here, joint management of the plan. As I read the legislation, there's arbitration here, I believe. I would like to learn more about the arbitration process. Is the government bound by arbitration? If the arbitrator decides that the benefits should be increased, is the government then bound to fund that? Those are questions. It isn't clear in the legislation.

I'm saying I understand OPSEU and why it thinks this is good, and it was reached through collective bargaining. It is an enormous step forward with the joint management program, but what they and others have given up is what I think should've happened. What I think should've happened on the payments to the unfunded liability is that in both cases of the unfunded liability, the actuaries said, "Listen, it's about 15% lower than we thought it was." The government chose to essentially say: "Therefore, we will simply take that 15% holiday for three years. It's 15% lower than we thought it was." The unfunded liability is, as I say, roughly \$10 billion when you add the two of them together. It was 15% lower than they thought it was. That's roughly \$1.5 billion of payments. They simply said, "We'll take a three-year holiday."

What should've happened, in my opinion, is they should've said, "We will reduce our payments by 15%." That would've been the fiscally responsible thing to do. That would not get us in this situation where we go for three years with no payments and then, bang, roughly an

\$800-million-a-year brand-new payment. If I had my way, that's what I would've had done.

For the government, it's chosen, as I say, a different route. "We will take all of the savings and we essentially will spend it," spend it in the sense of not making payments into the fund. I don't think that's the right thing to do fiscally, and so that's one big aspect of this bill.

I hope we have a chance to have a good, long—a good debate, not long, but a good debate at committee in ensuring that everyone's interest is represented here.

The challenge we're going to have is to range through this bill, and to raise the issues that I want to talk about in the relatively limited time that we have.

In question period today we also talked about the Unclaimed Intangible Property Act. This one I too hope we will have an opportunity to discuss in more detail at committee where there's an opportunity for the public to come and comment on it, because we're dealing with what by all accounts is an extremely significant matter here. Certainly as the communities become aware of it, I've had several quite urgent messages saying that this is something that we should all recognize is not a routine matter that can be dealt with in this debate which is a debate in principle, it's second reading and we can simply move on to it, but it's going to require a good deal of input and advice from the community, particularly from the financial community that only now, frankly, seems to be aware of the details of it, and is responding to all sides fairly vigorously. In my experience, they're organizations and associations whose advice we should listen to very carefully. Just in the last day or so the Investment Dealers Association of Canada has raised some very serious matters. It was dealt with in detail by the member for Don Mills, so I won't go into it. The Trust Companies Association of Canada, the Canadian Bankers Association, have all raised major issues around this part of the bill. So, as I say, I don't plan to get into the details on that tonight, but I would hope that we can get the bill to a committee, where they will have an opportunity to give their more detailed advice to us.

The third part of the bill that I wanted to talk about is called here the Financial Administration Act, Public Transportation and Highway Improvement Act. This is the beginnings of how we are going to fund these capital corporations, and what we're finding in the province is that we have found some very creative new ways of, in my opinion, hiding debt and deficits. Here too is an issue that the Legislature owes itself to look at in detail.

I just want to say that, again, I understand the government's motives on these things. What we're doing is we are moving an enormous amount of our spending and our debt, to use the accounting jargon, off the books. I'll just give you one example. Historically, in this province we have spent each year roughly \$600 million on school, hospital and university capital in the form of grants. The government has found something very creative to do. Instead of giving it in the form of grants, they've gone to something called loan-based financing. What they say is: "Rather than us give the \$600 million to the school boards and what not each year, what we're going to do is we're going to have the school boards go and borrow

the \$600 million on our behalf. It won't be on our books, and we will undertake to repay it over 20 years."

That was \$600 million last year. This year in the budget it's \$1.6 billion. I asked the question: How much debt will we have in five years? How much money are we going to owe off the books, brand-new debt off the books? The answer is \$8 billion; just in this one area alone, \$8 billion. It never shows up as part of the government's deficits; it's shown on someone else's books. But the government confirmed to me in writing that in five years there will be \$8 billion owing to this "loan-based financing."

I realize many people out there may be saying, "What in the world is all this stuff about, and who really cares anyway?" But this \$8 billion just in that one area alone off the government books is more than the debt of five of the provinces in this country. So we're talking enormous sums of money. Just the interest on that is probably \$700 million a year.

The reason I raise that is that we have also established four new capital corporations, and one of them we're dealing with in the Budget Measures Act, this omnibus bill. The area we're dealing with here is on ways that fees and tolls and even, I guess, revenue from signs is going to be fed into the transportation corporation.

The reason I raise this is that you may remember the great project on Highway 407, which incidentally I think is not a bad idea. Our caucus is supportive of that. But we were supportive on the basis that the plan was that the private sector was going to raise that money. Do you remember that? In fact, the proposals went out that way. They said: "Do you want to bid on this? You raise the money." That's how the proponents went out looking to raise the money. That's one of the reasons why at least we were supportive of it. It's one of the reasons why I thought it was quite creative: that the private sector would raise the money. I liked that.

2050

Incidentally, if I might just as an aside say, I am very worried about the casino side of things as we head down the road of what looks like building more casinos. I wish that we had got in that casino act the amendment that the government would not be on the hook for the deficits of those casinos, because I can see many of them being built at \$300 million or \$400 million. The minister is looking puzzled, but in the final analysis the public could very well be on the hook for those.

Hon Mr Christopherson: Make more money than anybody ever planned.

Mr Phillips: I love that. The Windsor Casino will be a rip-roaring success, there's no doubt about that, and fortunately a lot of it's American money coming in, which is good stuff.

Interjection: What's your problem?

Mr Phillips: My problem is this: There is no doubt that we will build more casinos, there's no doubt that most jurisdictions in North America will build casinos and there's no doubt some of them won't work. I just don't want the taxpayers on the hook.

Hon Mr Christopherson: Says who?

Mr Phillips: The member says, "Says who?" That's my judgement, and that's why I don't want the taxpayers on the hook for it.

Similarly, on Highway 407, I like the idea of the private sector raising the capital. There's nothing like the discipline of having to raise the funds and figure out how you're going to service that debt to make sure that it is a viable business proposition.

But what happened was that as we got down towards the end, surprise, surprise, the government went out and raised the money. The answer we got on why they did it is: because they could borrow the money cheaper. That's a given. The government knew before it ever sent the proposal out that it could get money cheaper than the private sector.

So why was it positioned as, "We are going to raise money privately"? Why did the proposals call for that, and then when the smoke all cleared, the public raised the money? The answer I got was: because the public can raise money cheaper than the private sector. Of course they can, because they've got the guarantee; at least right now they can. Everybody knew that going in.

So my point is that we now are dealing here with ways that we are going to fund the transportation corporation, the fees that are going to begin to flow into the transportation corporation, presumably to service the debt in there. But also the challenge is that they get into the transportation corporation and no longer do we monitor them here. Many of us believe that the government is going to continue to look aggressively at raising money through fees, and there's nothing wrong with cost recovery, but you remove the discretion of the fee-setting from the Legislature, you get it off over into the transportation corporation and we lose the opportunity for scrutiny on that. So there is another huge part of this bill that does require a better debate than we're going to be able to have time for here in the Legislature.

I think the fourth area that requires a broader debate than we're going to have here is actually the Health Insurance Act. Within that, I will just raise several concerns. I will say, on a broad front on the health area, that I looked with interest on the document the government put out last week, I think it was on health. I think we are making, however, in that document, an absolutely fundamental mistake. We talk throughout that document about how we are controlling health spending in the province. We make a huge mistake in there because the province of Ontario funds roughly 76%—no, I'm sorry, roughly 66% of health spending, I think it is—yes—and roughly 34% comes from other sources. That's what it is. In that document, we are not looking at health spending in the province, we are looking simply at the provincial spending on health. It's a big mistake because of this: 34% of health spending isn't from the provincial coffers. If we really want to know what's going on in health, we've got to look at the total package.

I don't mind the government talking about controlling spending on that \$17 billion. Good. But, in my opinion, what we really have to look at is health spending, not how much money the province spends on health. As I say, there's roughly \$25 billion a year, as I understand it,

spent on health, and we are only really looking at \$17 billion of it. We're not looking at the total \$25 billion.

I would just say that, as I watch health, I think right now health policy is being driven as much by, "What things can we get other people to pay for?" as it is by, "What is the best health policy?"

When we had the all-party committee hearings on the pre-budget stuff and the OHA was in to see us, I was quite surprised to find that 30% of their money comes from sources other than the province. But if you look at the government documents, they focus very much on the 70% from the province. They don't really look at, how much money are hospitals spending? Big mistake, in my opinion.

The discussions with the doctors: I can understand many of the needs for things that are going on there, but I think we're going to have to keep our eyes on, what is the best health policy, and clearly, how do we fund it? But right now I'm afraid health policy is being driven by, "Can we find somebody else to pay for this?" As I say, in the hospital area now it's 30% of the funding that comes from elsewhere, and for those who deal with hospitals—and we probably all deal with them—you know how hard they work on finding revenue sources. Most of them now have foundations and all those sorts of things.

You look at what's going on with the doctors and the OMA agreement and you can see the various things: I gather, trying to get workers' compensation to pick up a larger share; the third-party billings; I think very much the issue of out-of-province spending is driven by that; all those things. And they may be the right policy decisions, but I think they're being driven as much by, "How do we get other people to pay for health care?"

My point is this: We make a mistake in thinking that we are looking at health spending, and I found the document actually very disappointing in that respect. I hope that I have a chance some day to perhaps deal directly with the Minister of Health on it, because we should be looking at the \$25 billion we're spending on health, the provincial share plus what's being spent privately.

The reason I raise all of that is because if you share at least my concern that this is driving health policy—"Where can we find somebody else to pay for this stuff?"—and I don't know. I think we have to watch what's going on. I think if I were running a hospital today and I was very much in need of revenue, I'd be looking as creatively as I possibly could for sources. The risk there is, we never want a hospital or a doctor ever in a conflict with what's the right thing for the public and what's the right thing for ensuring we've got the revenue to do things.

2100

That leads me to the health insurance part of this bill. I think there's a debate here. One big debate is, we now will be charging psychiatric patients an accommodation copayment.

Mr Harnick: Is that a user fee?

Mr Phillips: The member says, "Is that a user fee?"

What is that? I can see if you are in a nursing home, somewhere of your own volition, but I have a feeling that many people are in psychiatric hospitals not necessarily of their own volition. Is this medical treatment, and if it is medical treatment, could you argue this is a user fee for medical treatment? Again I go back to what I think is driving health policy, and that is, how do we find somebody else to pay for this?

There's another section in here that is of interest to me; that is, the bill allows for an awful lot of cross-referencing of information within the government for the new health cards. I'm not a lawyer, as they say, the lawyers sitting here, but one of the emerging concerns has to be for all of us protection of privacy. In an era of rapid use of technology, how do we ensure personal privacy? This bill as I read it has some fairly broad-ranging opportunities for what's called interministerial sharing of information. I probably will not be able to find it in the bill quickly enough, Mr Speaker, but just trust me; it is in here.

Where will that lead? I think that's not a simple matter of saying, "The Ministry of Health can have access to other ministries' information," particularly when we are in an era where medical records have to be extremely sensitive. So in the interests of efficiency, there is a significant risk in this bill, that we step over the bounds between efficiency and intrusion. So as you can see, just in that aspect of the Health Insurance Act, part VIII of this bill, there are three or four major areas.

I've already indicated my concern with how broad-ranging the opportunity is for sharing of information, and whether there's sufficient protection for individuals in there, and there is, I think, a fundamental question: Where do we stop? How do we define services for psychiatric patients? There's no doubt it permits an accommodation copayment, and I think there's a legitimate question: Is that a user fee? Where do we begin to draw the lines? How do we draw the lines?

The next part of the Budget Measures Act that I wanted to talk about was the Labour Sponsored Venture Capital Corporations Act. We should all appreciate that we are spending an enormous amount of the taxpayers' dollars in this area, these labour-sponsored venture capital corporations.

I don't want to give a pitch for them, but you can invest in these organizations \$5,000 a year, and they are RRSP-eligible. It works like this: You can get a 20% provincial tax credit which means you would save yourself 20% of \$5,000 or \$1,000 of provincial tax payment. That's straight savings. You get a 20% federal tax credit. You save yourself another \$1,000 and it's RRSP-eligible, so for anyone reasonably higher up the income scale—\$50,000, I think—you save yourself another \$2,500. So you can put \$5,000 in and it costs you, out of pocket, \$500.

They are well-run organizations. The Legislature approved setting these things up two years ago. But I'm just saying, firstly, there's a lot of taxpayers' money in here. For every \$5,000 that goes in there, there's a \$2,000 tax credit and a \$2,500 RRSP tax deferral, really.

They have as an objective something that I support

very much, and that is the investment in smaller businesses, in venture businesses, in helping get things rolling, and these proposals in here, as I understand them, broaden the scope for the labour-sponsored venture capital corporations, and I understand, by the way, right now there are five of them in Ontario, the largest one being Working Ventures, which I must say an old friend of mine runs, and a very competent individual too, I will say. But there's going to be a proliferation of these.

As I recall, the Ontario Medical Association agreement permits the OMA to set up a labour-sponsored venture capital corporation, and I gather that there are now five of them in the province. I think we're going to see quite a few more, because it's pretty attractive to say: "Listen, invest \$5,000 and you only have to put in \$500. We give you a \$4,500 tax credit."

What this does is it expands the scope of investment for these organizations, and we all agreed to the scope of investment earlier on, two years ago. On the one hand, I hope it will see more investment, and more investment in Ontario firms, more job creation, but on the other hand, we are heading down the road to a fairly significant tax expenditure.

There's one thing I appreciated the Fair Tax Commission really highlighting: the amount of money that the taxpayers pay on tax expenditures. We often think of expenditures just being money we put out, but I think it's fair to say that when we give a 20% tax break to an individual, that's an expenditure. That's revenue that would've come in, doesn't come in and it's every bit as much an expenditure as if we had spent the money somewhere else.

I think we have to assess these things very carefully because they don't show up that clearly. They only show up as reduced revenue, and we've all seen what's happened to our revenue in the province, much of it as a result of the recession, much of it low inflation. We might argue that the tax increase has been counter-productive, but another thing that is contributing to revenue slowdowns is when we give tax expenditure breaks.

The other part of this bill makes it easier for employees to purchase their companies. I think that's great. I don't think there's much doubt that when you have an investment in your company, you very much get a stronger attachment to the organization; you very much feel you are sharing in the risk and you're sharing in the rewards. This has some fairly significant improvements for the employee ownership part of it. For example, somebody can put \$150,000 in it and get 10 years of \$15,000-a-year tax credits. And it removes the Ontario Securities Commission approval of financial disclosure documents for employee buyouts and it allows the minister to authorize control of these eligible businesses.

2110

I believe the cost of this program in total is \$250 million, although I'm not positive of that. What I am positive of is that we are starting to get into a significant amount of expenditures here. I repeat: As we expand the opportunities for the labour-sponsored venture capital corporations to invest in businesses—we're going to

make it quite a bit easier for them to invest too, I might say—and as we make it easier for employees to purchase their company, there is for the taxpayers a corresponding increase in the cost. I personally think we're going to see, as I say, quite an explosion in this area, for understandable reasons. But before we proceed with this, and at the risk of in two weeks the bill being forced through, you can see that even this section of the bill is significant and would benefit from some public discussions and public hearings on it.

I've talked about the pension thing, which is very large and very significant, the Unclaimed Intangible Property Act. There's a small part of this bill which we haven't had much discussion on, and this is the Public Lands Act, which I understand allows for the government to increase the fees to hydro-electric generating organizations in the province. I gather there are a large number of companies across the province which are generating hydro-electricity which have an existing agreement with the government on how much money they pay for renting the rights to the water power, and this allows for the government to step in and substantially increase the fees in that area. Again, I understand where the government's coming from. They're looking for every possible revenue source. But I have a feeling that if we approve this, as I say, at the nod and it just goes through without an opportunity for the organizations that are going to be impacted by the possibility of a substantial increase in their fees in those areas, we're going to hear from those people, particularly from the ratepayers, whose fees will go up dramatically. But again, on a bill introduced well through the month of May, we are only now beginning today, just a matter of three hours ago, to begin debate—a bill that I hope the public see is very wide-ranging in scope and has some significant impact.

I know that my colleague who has the responsibility for the education area will want to talk later in the debate around the education portion of this, where we are again looking at some fairly significant changes in the sharing of assessment for school purposes.

As I said, what we're dealing with here is a bill that I really think should have been brought forward as several bills rather than trying to deal with it in an omnibus way.

I wanted to go back just to the pension one for a moment, because it's the one that, for me at least, is the most concerning. I know OPSEU is happy with it, and that's good. The people whom we have to ensure are looked after and who have an opportunity to be confident that as this proceeds it has had public scrutiny are those 40,000 people who are retired now. The minister says the opposition is unnecessarily raising concerns. The concerns are the ones that we've talked about: the three-year holiday from any payments against the unfunded liability, which is right now at roughly \$3 billion. It grows every year, just that one, by \$250 million. None of it stops, but we're not going to make any payments against it. When you combine that with the teachers' pension, we're going to go along for three years with no payments and then suddenly, an \$800-million payment. I just don't think that is sound fiscal financial planning. It may make the books look good for a moment, but it's not sound fiscal and

financial planning. Other concerns in the plan: Are the assets being split fairly—I understand the government's satisfied with that, but I think the public has an interest in that—and are we being sound and solid in saying we can cut the payments from 8% of salary to 3% of salary for roughly three years? If I'm not mistaken, there's \$1 billion just in this pension area alone—\$950 million, at least—over three years, of reduced payments, below what were planned to be made into the plan.

The members may say: "What's to worry about? If it isn't solid and sound actuarially, if we don't have enough money, the government's on the hook to make sure it does, so it'll just have to throw it in later on." I don't think that's sound financial planning, when we could be making sure we are making the right payments as we go along.

The reason I'm so concerned about that is the need for us all to come to grips with the true state of our finances. I know I've talked many times here in the Legislature about what I think the real finances are and what are reported, and sometimes I feel like I'm, as they say, a one-trick pony. But when we're dealing with several billion dollars of a higher deficit than is reported, we only fool ourselves. That's why, on the pension one, I keep raising it.

This year's budget said the deficit is going to be \$8.5 billion. I think the real deficit is \$2.5 billion higher than that. The public may say, "Who really cares?" Well, \$2.5 billion is a lot of money and it is of major concern to the financial markets. That's what they're looking at: Is Ontario making progress against its deficit or is it simply reporting progress and not really making progress?

I just want to go over the things that I think are very questionable in the way the finances are being reported in the province. The reason I do that is because two of my concerns are in this bill here. I know the Premier loves to say, "We've taken the deficit from \$12.4 billion to \$9.4 billion to \$8.5 billion. We've reduced the deficit by 30%," or something like that.

The problem with that is the \$8.5 billion is a number that the Provincial Auditor would simply say isn't an accurate reflection of the finances of the province. He's raised concerns in several areas and I want to raise them tonight because, in my opinion, the Provincial Auditor, when he signs the books, the financial statements for the year that just ended in March—he'll sign them probably in the summer of 1994—I believe he will give a strongly qualified opinion on the books.

For the first time in the history of the province, on last year's budget the province got a qualified opinion from the auditor. It's the first time in the history of the province where the Provincial Auditor has refused to give an unqualified opinion on the books of the province.

2120

I think he's already signalled his concern about several of the areas, two of which we're dealing with here tonight, and I believe he will strongly qualify the books this year, and it will be in these areas: I talked a little bit earlier about the whole area of how the province is dealing with capital, the loan-based capital, and you can

see in the budget that we this year have moved to \$1.6 billion of loan-based financing.

I explained earlier how that works. The province says: "Spend the money, but you go borrow it. We guarantee to pay it." That's \$1.6 billion of loan-based financing off the books. The auditor says that this type of thing we shouldn't do. The auditor has said we should be reporting it as an expenditure, but we're not. As I said, in five years, there'll be \$8 billion of debt just in this area alone.

The second big area and the auditor has said that it is wrong to not show these unfunded liabilities as part of our debt and the growth of them as part of our growth in debt. This is what we're dealing with tonight.

When we take a three-year holiday from any payments against a \$10-billion unfunded liability that's growing at \$800 million a year and we don't show that, we're kidding ourselves. I don't accept for a minute what the minister said that we are saving this money, and it allows us therefore to be able to retain services elsewhere. We're not saving the money. It is growing as debt in the unfunded liability. That deficit debt has not stopped growing, and the Provincial Auditor said that is wrong.

The third very questionable area I think we all know is in the continued questionable sale of assets. The reason I raise this is that we are dealing with one of the new capital corporations in this bill, but the public should be aware that the government is systematically "selling" government buildings and then leasing them back. What we're doing in the province is we are showing \$250 million a year of revenue coming in to the province that isn't revenue at all. All we've done is we've remortgaged the government buildings, and we've given ourselves that mortgage, the \$250 million a year, but we should not be claiming that as revenue, and we've taken on a whole new expense called lease payments to these buildings.

Also, as I think you may all recall, last year we took all the GO trains, \$400 million worth of GO trains, and we sold them to a Bermuda company. Remember that? We got a Bermuda company to buy the GO trains and then we leased them back—a very creative deal, I might say. It was something that probably Bob Rae would've criticized the corporate welfare bums for ripping the system off by using tax loopholes to avoid paying taxes, but the government has jumped both feet into this one. It said: "All right, if we can get somebody to buy these trains and they can own them in an offshore company, they can depreciate the trains. They'll save some taxes, and it's a good deal for them and a good deal for us."

But all we've done, the trains never left the country. They're still down on the waterfront. They're still running every day. All we did is we went out and we put a loan against them, a \$425-million loan, against all the GO trains, and now we're paying every year. I think we're paying \$80 million a year against that loan.

What we're doing this year, folks, is the trains have all been sold offshore, and now I gather we're selling all of our ferries, our planes, and I gather our heavy equipment is what I understand. I'm not sure where. It'll be sold to some offshore company. Who knows where?

Hon Mr Philip: They didn't like my suit, though.

Mr Phillips: Were you in Bermuda?

Hon Mr Philip: Yes. I never did get an offer on the suit.

Mr Phillips: My point is this: We are using every conceivable trick in the book to artificially reduce the reported deficit. The auditor, by the way, is on to this. The auditor said: "Listen, you've got to change your ways. I'm not going to put up with this. You've got to report the books in a different way."

I actually was very disappointed. I thought there was agreement to present this year's budget, the 1994-95 budget, in a way that the Provincial Auditor would find acceptable, where we would stop playing the games, where we would report the deficit in the way that he wanted. I thought I had the assurance, but I didn't listen carefully enough. I was told, "Yes, the government plans to report its finances in accordance with the way the auditor wants them." I said: "Okay, great. The budget will be prepared that way. The government will report its finances in the way the auditor wants them reported. The budget's going to be reported that way."

How it turned out was that what's called the public accounts will be presented the way the auditor wants them. Now, this may all sound like jargon out there, but what it means is that the budget was done in a way that the Provincial Auditor would find unacceptable, because the Provincial Auditor has indicated there are at least four areas, the way the budget is reported, that he finds are unacceptable. The public accounts will be prepared the way he wants them, but the 1994-95 public accounts aren't done and released until September 30, 1995. So we're not going to get the finances of the province reported the way they should be.

Now we see a deficit coming out at \$8.5 billion and every single person in the financial community doesn't believe it. Every single person in the financial community says, "No, no, the real deficit is \$2 billion to \$2.5 billion higher than you're saying." And they go through the exercise. The problem when that happens is, our credibility takes a severe drop, and believe me, we're going to want international credibility as we continue to go to the market for funds. We have hurt our credibility in the international marketplace by continuing to play games with the way we report the finances.

The reason I go through all of this is that the bill that's before us, part of the reason it's before us is in my opinion to allow the government to play games with the way the numbers are reported in the pension area and in the capital corporation area. As you talk to people who are involved in the whole area of raising money for governments, let's make no mistake about it, there is concern in the international money markets about Canada, about Ontario. The province is I think required to go to the market this year for roughly \$1 billion a month. Fortunately, I gather we've built up a fair bit of cash so we've got some flexibility in there, but the international money markets are apprehensive at the best of times, and when they can't trust the way the finances are reported, they get even more nervous. As I say, in this bill we're implementing two of the areas of concern of the money markets.

On the details of the bill, I hope I have indicated how I think the pension should have been handled. I believe it's wrong to take that holiday. I think we should be making reduced payments into it and not in my opinion misrepresenting the finances of the province.

2130

The Unclaimed Intangible Property Act is major, and only now are we hearing about some of the very major concerns about the people who will be impacted by this. There is zero doubt that this needs a thorough airing publicly.

The Provincial Offences Act I haven't talked about tonight, but that's where there will be a surcharge placed on the fines in the province. Our critic for that area will have an opportunity to talk in more detail later on.

The Ontario Home Ownership Savings Plan Act I'm frankly pleased to see. I think all parties were pleased that the plan is continuing and I'm not aware of any major concerns in that.

There is a Retail Sales Tax Act that excludes delivery charges on certain items, and as far as I can see, that's a good thing.

The employer health tax holiday for one year on payroll increases is also an area that has some merit. I think it's the right way to go. As I understand it, your entire payroll growth is excluded for one year, and that makes sense.

But the areas where there is no doubt that there are significant concerns—the financial, the Public Transportation and Highway Improvement Act, the Health Insurance Act, with some of those very wide-ranging intrusions into the privacy of individuals in the province—that clearly need an opportunity for the public to have comment and input into them, and I think there's a debate that needs to take place.

Oh, the Minister of Health's here now and I appreciate that. I was saying earlier, Minister, that I appreciated the document the government put out last week on health. I believe there's a fundamental flaw in it, in that throughout the document you talk about health spending in the province as if health spending in the province was solely the \$17 billion that is funded by the province.

In my opinion, there is another \$8 billion of spending on health that has to be put in and looked at if we want to understand what is being spent on health care in the province. We make a huge mistake if we simply look at the \$17 billion and think that's what's being spent on health. I understand why you did that, but I think it's wrong. If we want to know what's happening in our hospitals, you cannot simply look at the roughly \$7 billion the province spends. The hospitals are spending \$10 billion on health—you're providing \$7 billion and they're raising \$3 billion—but your whole document, as you know, talks simply about the \$7 billion and how that's being spent.

I don't know what share of the doctors' fees is raised outside of the amount of money provided by the province, but I presume it's significant. I don't know what that number is, but according to the discussions I've had with officials, 34% of health spending in the province

right now comes from sources other than the province. So if I could provide one piece of advice on the document, it would be that I think we've got to start looking at that, because as we all know, we use a percentage of gross domestic product to measure how well Ontario is doing versus other jurisdictions, but that percentage of gross domestic product is more like \$25 billion, not \$17 billion.

The reason I think that's important is because, in my opinion, understandably, any Minister of Health would be looking to find sources of revenue other than the province to fund health. The problem we run into is if that drives health policy, if the understandable pressure to keep the provincial share of spending down starts to drive legitimate health policy—and I don't know whether it is or it isn't. I said earlier that if I were a hospital administrator, I might often be in conflict. I might be in conflict because maybe—I'm not saying this happens—it's better for me to have private rooms and semi-private rooms than ward rooms because maybe it's better for my revenue. Certainly, I must say, as we go to visit friends in hospitals, the amount of money we now have to pay for parking fees is enormous.

The reason I raise all of that is that there is at least, in the Health Insurance Act part of this, a risk that we are letting that drive health policy. As I say, the one now—I think there's a legitimate debate. Is it legitimate to charge our psychiatric patients a copayment, or are they there because they are undergoing medical treatment? Certainly we would have difficulty if we were charging a copayment in a hospital for individuals. If a psychiatric patient is in a facility in one of our acute care hospitals, is it legitimate to start charging them this copayment? I suspect not, but we're heading down that road.

I talked also to the House about some fairly wide-ranging intrusions into access of information under this Health Insurance Act. Firstly, I predict that I think this is an area that we should legitimately have a discussion around, and secondly, I'm convinced that it's only a matter of time before the Legislature is really going to have to come to grips with the whole issue of how broadly we are prepared to share access to information.

If you would want to solve the underground economy, for example, you can do it through access to an awful lot of information. But how far do we want to go? This particular bill, as I read it, gives the government an opportunity to range through virtually all the information within the government, and in some areas, extremely sensitive areas in the health area, I just think we have to be really careful on that.

So this is a bill that is wide-ranging in scope, one that I'm convinced would benefit from an opportunity for the public to participate in several aspects of it. I'm hopeful that we will have an opportunity to do that, and when we do get to committee, I look forward to an opportunity to talk in more detail about the issues that I've raised here in the Legislature and about the need to hopefully address and amend the bill so that we can accommodate our concerns.

Mrs Sandberg: This Bill 160, as the member for Scarborough-Agincourt has said, is just a typical NDP government bill from the standpoint that when they sat on

this side of the House, we heard all the Robin Hood stories and now that they're over there, of course they're enacting them, so they think. The point is that if you really want to look at what is, I was going to say, a Hans Christian Andersen fairy tale, you can look at the whole record of this government. Any government that sells something that the taxpayers of this province already own and then leases it back at a tremendous cost has to be totally out to lunch.

The fact that they did that with the GO Transit rolling stock is one thing. The fact that they do all this offloading of debt through the establishment of new crown corporations so that debt no longer is under the umbrella of the government and therefore not on the government books—it's now in a crown corporation, so that debt belongs to that crown corporation; it no longer is the responsibility of the government, therefore it's not "their debt"—is totally misleading the public of this province. The way the GO Transit stock was sold in itself is kind of ironic when you think about them whipping off to a place like Bermuda in order to sell something in a fire sale that the people of Ontario owned.

2140

The Deputy Speaker (Mr Gilles E. Morin): Thank you. Your time has expired.

Mr Sutherland: I appreciate the member for Scarborough-Agincourt and his contributions to the debate. He always tries to present his views from a rational standpoint and does probably a better job than some of the other members who present their points.

I think, though, it is important, since the member for Scarborough-Agincourt spent so much time talking about the pension issue, to reiterate a few points that the Chair of Management Board made when he participated in the debate and dealt quite extensively with the rationale for separating the plans, for the proposals and to the actuarial soundness of the proposals, but particularly with the issue the member for Scarborough-Agincourt seemed to raise, the concern about: "I wouldn't have done it this way. I would have used this to pay down unfunded liabilities," and didn't really discuss, though, the alternatives, and the alternatives of not doing this type of proposal on this year's budget and what that means in terms of the impact on our transfer partner agencies. Of course, the Chair of Management Board did reiterate that we're talking about 15,000 jobs; 15,000 jobs. That's very significant and would have, I think, a detrimental impact on the economic recovery.

I think it's important, just to round out the points the member for Scarborough-Agincourt made, that more discussion on his part needs to be made about the alternatives of not doing the type of proposal we did with the pensions and what impact that would have on jobs, because we know the member for Scarborough-Agincourt talks quite a bit in this House about his concern about jobs in the province and the fact that the unfunded liability is still going to be taken care of under this agreement.

Mr Charles Beer (York-Mackenzie): I want to rise and congratulate my colleague from Scarborough-Agincourt for his participation and for a very sober

reflection of what is contained in this bill, not the least of which is his comment that we really should not be dealing with an omnibus bill of this kind, but there are some very critical elements to it which should have been taken out and brought before the House as separate bills. I hope to have an opportunity to speak about that later.

I did want to share with members the most recent publication of the Ontario Urban Development Institute, which makes reference to the member for Scarborough-Agincourt, who is the Liberal Finance critic. I want to quote from that because I think it reflects the kind of information that he has provided today and does on a consistent basis.

In this document it notes that: "Gerry Phillips, the Liberal Finance critic, usually provides the best all-round analysis of NDP budgets and spending of any of my sources. In a factual no-nonsense style, he dissects the words and numbers and, as you may expect, to the detriment of the government. Good, well-thought-out stuff, information and opinion. His latest is no exception." The member was referring to that latest issue, which looked at the budget.

What is also interesting is that the writer notes that in his estimation the platform for the next election, in terms of jobs and growth and fiscal policy, "will be a reflection," and I'm quoting, "of the careful optimists with a practical bent like Phillips."

I think, again, that his comments this evening, as he has wound his way through all of the 17 parts of the Budget Measures Act, demonstrate that competence, and I would share with the writer of the Ontario Urban Development Institute that those are exactly the kinds of comments and thoughts that we need at this time.

Mr David Johnson: I will stand and offer my congratulations to the member for Scarborough-Agincourt as well. I may not be quite as glowing in my response to him, but certainly there's no question he looks at things very factually and very fairly.

The member for Scarborough-Agincourt and I yesterday attended a function at the Hellenic Home for the Aged. There was an extension for a nursing home section to the Hellenic Home for the Aged. There was also a downpour that we got caught in. I think we both dried out, but that was quite an experience.

The member for Scarborough-Agincourt has raised concerns with regard to the pension plan and has indicated that this is one of his major concerns with regard to Bill 160. I would say that he is bang on in that assessment. The member for Oxford indicated that the Chair of Management Board had commented on the pension plan, but in my questions to the Chair of Management Board he failed to address two of the questions.

One of the questions pertained to the fact that an undertaking was given to all the members of that pension plan that should the pension plan be divided, they would all have the opportunity to select the actuary who would do the independent analyses of the plan. According to the non-union members, the government reneged on that promise, and I believe this is a concern of the member for Scarborough-Agincourt.

The second point is that in terms of the sectoral agreement last year with the Ontario Provincial Police, again, not only an undertaking but written right into the agreement was the fact that there would be no dividing of the pension plan. Again, there was a reneging.

The Chairman of Management Board replied to neither of those questions. These are concerns not only of myself but of the member for Scarborough-Agincourt, and he's bang on in those concerns.

The Deputy Speaker: The member for Scarborough-Agincourt, you have two minutes to reply.

Mr Phillips: I appreciate the comments around the House. I might also take this opportunity to maybe correct the record. I think I said earlier that the payment could be up to \$80 million against the GO train thing. The \$80 million was a historical number and I think the number is probably substantially lower than that. It doesn't change the fundamental thrust, which is that this simply isn't revenue that we're getting from the sale of GO trains. I think most of the public say, "Boy, government should get rid of all the excess assets it has and sell them off to reduce the deficit," and we agree. But the GO train we never sold off; we simply put another \$400-million mortgage on it and we're leasing it back.

The member for Oxford misses the point that's important. He says, "Listen, by taking this holiday from making any payments, we've saved all this money." Believe me, everybody, and understand this: There is a \$10-billion unfunded liability in the teachers' pension and the public service pension. Ten billion dollars. You agree with that; the actuaries agree with that. The government is paying roughly 8% interest on that. So what we're doing is each year running up \$800 million in the unfunded liability. Believe me, this is real debt and it goes up every year \$800 million. The member for Oxford says, "If we hadn't done that, we couldn't have afforded other things." We're still spending the money. The money's being spent every single day, roughly \$2 million a day. It's just that we're not reporting it. The auditor says that's wrong.

Mr Harnick: I intend to take part in this debate and confine my remarks to the Unclaimed Intangible Property Act, an act that I think is somewhat of a strange act to be resurfacing in this place, given the checkered history of the first time around. I think in very many respects it's more the mentality of monkey see, monkey do. The Liberals did it, so the NDP are going to try and do it too, but the NDP are desperate for cash. That's the only reason the Unclaimed Intangible Property Act is rearing its ugly head again.

This bill was first introduced and it was in fact enacted by three readings of this Legislature by the government of David Peterson in 1989. What this act essentially does is provide that the crown has the right to receive and use for its own purposes unclaimed intangible property in Ontario. Intangible property includes deposits of money, insurance proceeds, stocks, bonds, uncashed cheques and money orders, credit balances on charge accounts and unpaid wages. Land, cars, boats and houses would be examples of tangible property. We are dealing here with intangible property that has been unclaimed. So if it is unclaimed for a specified period, where there's no

communication between the owner and the holder, it's deemed to be unclaimed intangible property. The requirement of how long it has to remain unclaimed varies with the different types of property, and all of those different exceptions are set out in the bill.

2150

The particular act applies to all individuals, businesses and government organizations. It includes financial service companies, airlines, retail establishments, utilities, landlords, lawyers, fiduciaries, municipalities, anyone who might be holding intangible property of other persons.

There's an interesting story about how this bill arose in 1989. There was an American bounty hunter, for want of a better description, who through a connection with the Liberal Party, through a lawyer with close ties to the Liberal Party, went to the then Treasurer, Mr Nixon, and said: "Boy, have we got a great idea for you to collect all this money that's sitting in people's bank accounts, refund cheques from insurance companies that have never been cashed, traveller's cheques that have never been used. All this money is sitting out there in people's accounts and it's just sitting there. So we have this idea where you can come and collect all that money, put it in your coffers and use it."

There was never an outcry on the part of the public for any legislation of this nature. The public, in fact, when they realized they were missing unclaimed intangible property, would go to the source where that property was and the money would be refunded or given to the rightful owner. There's never been a problem with the money being paid over. It's never been a problem. When people have realized the money was missing, they would go and reclaim their property. There was never a difficulty that way. There has never been a hue and cry in the public for the government to step in and grab up all of these assets, which this government and the former Liberal government intended to do.

Let me get back to my interesting story about the bounty hunter and the lawyer with the close ties to the Liberal Party. Once this all started, the bounty hunter and the lawyer got together and they started a lawsuit—get this, Mr Speaker—after this bill was passed by the Liberal government of David Peterson in December 1989, claiming a finder's fee based on a percentage of the first year's take from what was going to be the collection of all this unclaimed intangible property. So that goes to show you the foundation upon which this legislation received its inception.

It's awfully strange. No one was asking for this legislation. The public didn't need it. The government just jumped in because there was a buck to be had here. This is nothing more than a government grab of other people's money. That's all it is. It's the government coming down and trying to control every bit of what's out there.

Just the same way they're trying to be Big Brother with photo-radar, here they're coming along and saying: "If it belongs to somebody and nobody is picking it up, rather than leaving it with the financial institution in whose hands it rests, we are going to come and scoop it

up and use it for government purposes. Along the way, we'll advertise once a year. We'll put people's names in a newspaper, in the Ontario Gazette. If they come to pick up their money, fine. Otherwise, we will use it. It will be used as part of the government's general revenue operation."

At any rate, the other aspect of this bill is that all of this money will ultimately be given to the public trustee to administer, and I'll get back to some remarks about that shortly.

There was a great problem when the Liberals passed this bill in 1989. They passed this bill and it proceeded with virtually no consultation with any people in the financial community. It was almost hidden, brought out and rushed through the Legislature, much the way it has been in this particular session of the Legislature.

This failure to consult adequately resulted in legislation which was fundamentally flawed. The legislation was passed and nobody really knew about it, but it was after it was passed and the Peterson government pressed ahead with it that all of a sudden there was this great hue and cry about how this piece of legislation could have been passed the way it was.

One has to understand that financial institutions have had long-standing systems and procedures in place to segregate unclaimed funds, to search for and locate owners of dormant accounts and to resolve these claims. These systems attempt to locate beneficiaries at an early point in time when the likelihood of identifying the owner is the greatest. There's really nothing wrong with this system and, as I said earlier, there has never been a public cry for the government to step in and take all this money and then ultimately spend it for its own purposes.

Concerns initially about the bill dealt with retrospectivity, the retroactive nature of the bill going back as many years as you possibly could to collect everything that was out there. Now the bill seems to try and limit that to five years. I'm a little unsure as to whether that means five years from 1989, which I think it does, which means it goes back as far as 1984, which means that when this bill is passed there will be 10 years' minimum worth of unclaimed property that will now be remitted by companies obligated to file this information and deliver this money to the public trustee.

In addition, other problems with the bill, as I said, were, there was no consultation with the public. The bill was complex to administer, the new bill still is, and it's an inefficient way to raise money with no significant increase in the return of property to the owner. I think that's very significant. If we could be assured that there was some realistic idea that there would be a greater return of property to the owner, this bill might be more easy to accept, but that just isn't so.

The government is relying on the fact that it has reviewed certain consultations from 1990, when it didn't proclaim the bill. That's the Liberal government. Included now are some suggestions of what they were told at that time, but that does not constitute, as far as I'm concerned, adequate consultation, particularly given the complexity of the legislation and the burden it will impose upon the community.

By contrast the parliamentary assistant said, "We did this credit union legislation earlier and it was very well received by the economic and financial community." The reason was because from the inception of that legislation, there was a process there where there was appropriate consultation, where problems were being addressed in a practical and a cost-effective manner. That has been totally lacking in this particular bill.

2200

The other thing about this bill that concerns me a great deal is the cost that will now be imposed on financial institutions and on individuals who have to comply with this bill. In terms of the legislation that was introduced in 1990, there was a trust company that estimated that the Unclaimed Intangible Property Act would cost the company, in several key departments, two and a half times as much to comply with the act as it would to turn the money over to the public trustee. The cost of administration is yet another burden being placed on businesses that are trying to create wealth in the province of Ontario—more red tape. The last thing that business needs in this province right now is more red tape.

In addition, we're going to have a new bureaucracy created in this province to administer the Unclaimed Intangible Property Act. That bureaucracy is going to be within the public trustee's office. The public trustee is already preparing to assume extensive new responsibilities in connection with the implementation of the substitute decision legislation.

I suspect, in reality, that what is being done here is that a pool of money is being collected, upwards of \$25 million estimated for the first year, \$20 million estimated for the second year, \$15 million a year thereafter. That's what this is going to collect for the public trustee and for the government.

I suspect, in very large measure, that one of the reasons the government wants this bill is to finance the bureaucracy it is going to need to finance, to implement the Substitute Decisions Act. That is why there is a charge on to implement this bill as fast as possible and collect the money, because the Attorney General's department cannot afford to come up with the money otherwise. They cannot afford to put the money into the public trustee's office because they don't have the money. They don't have the money to fund legal aid. Where are they going to come up with the money to fund this bureaucracy and the substitute decision bureaucracy?

That is what this grab of money is. It's not really a tax grab; it's a grab of other people's money, people who don't even know that the government is going to be taking it. That is what I believe it will be intended to do.

The other thing that I must add about the public trustee's office, I say to the Attorney General, is, is this really the most appropriate place, of all the bureaucracies that you could stick this in, to put it? The public trustee's office is a disaster as it is. It can't administer the funds of people who know their money is there. How are they going to deal with the money of people who don't know their money is in the hands of the public trustee?

We saw the auditor's report. The auditor said that,

quite frankly, the public trustee's office was in a shambles. It was starved for the resources it needed to do the job that was presently before it. How will it possibly deal with this bureaucracy and the substitute decision bureaucracy? I can't understand how this is going to happen and how it is going to be paid for, other than the fact that this money will be usurped by the government to carry out those functions.

There are other issues I want to touch on, one of which is the fact that there is a serious conflict between this particular bill and the jurisdiction that the government has to implement this bill and the federal Bank Act. I have been told, and I believe it's true, that the former Attorney General was very much opposed to this piece of legislation and in fact did not see eye to eye with the former Treasurer, Mr. Nixon. I'm talking now in terms of Mr. Scott, the former Attorney General with the Liberal government.

I understand that there is a legal opinion in the Attorney General's department that quite clearly says that the government does not have jurisdiction to do what it is going to do. If the Attorney General can enlighten us about that or even produce that legal opinion, we would all be ever so grateful, because I do not believe that this act, the Unclaimed Intangible Property Act, is an act that this government can deal with without being in conflict with federal jurisdiction over banks.

The problem is more significant given the existing unclaimed regime in the Bank Act, and rather than address this issue through discussions with the federal government, the government seems to be moving along in a very unilateral way. I don't think they've had consultations with the federal government. They certainly haven't had consultations with the, to use their lingo, stakeholders in the province of Ontario. That's what the stakeholders say.

Quite frankly, I cannot see any reason that this particular bill is not standing on its own but is part of a tax act, to be buried so that nobody even notices that it's there as the government scoops up all this money that doesn't belong to it in a situation where the public has not ever, ever asked it to do that. What I say is, like everything else that the government, particularly this government, touches, that money will be wasted in a skinny minute. In short order, it will all be gone.

The Unclaimed Intangible Property Act is nothing more than a revenue-raising device. Just to quote the reservations that Mr. Laughren, the present Treasurer had—and I'm quoting now from the debate of December 13, 1989—Mr. Laughren had this to say, "I would just like the assurances of the parliamentary assistant to the Treasurer that this is not meant to be a tax grab by Tax-to-the-Max Nixon, Maximum Bob, as some people will call him." If that's how the Treasurer today refers to the former Liberal Treasurer, as "Tax-to-the-Max Nixon" and "Maximum Bob," I can't imagine the kinds of epithets we could pin on Pink Floyd, because he's a bigger taxer and a bigger spender.

If he wanted assurances then, how do you think the public feels now? How do you think the public feels about this particular bill right now? It's nothing more

than a revenue-raising device, and there is no evidence whatsoever that this piece of legislation is at all necessary.

There are numbers of other questionable technical aspects to this bill. This bill demands to go to committee. I don't know how the government intends to proceed, but I would urge the government to sever this particular aspect of a tax bill, and I'm talking about the Unclaimed Intangible Property Act, from the balance of Bill 160 and at least let it go out and be examined by a committee.

This particular piece of legislation is not burning up the public. The public has never indicated a need for it. The financial community surely is going to face the brunt of this legislation and deserves the opportunity to make public comments, because neither the Attorney General nor the Treasurer has afforded the financial community the opportunity to discuss this bill before it was quietly stuck into the budget and brought forward buried in Bill 160, which deals with a myriad of other items. I can't believe that the government did not have the guts to deal with this as a freestanding action and to confirm that it would permit it to be sent out to committee.

2210

I want to quote again from Mr Laughren's remarks on December 13, 1989, when he said we should "get the bill out there and let everybody have a go at it because, having had no such legislation since time began presumably, there is no reason that this needs to be rushed through in the next couple of days without full hearings. If the concerns of the financial institutions are legitimate, then surely to goodness we should be listening to them." That's what Mr Laughren said before he was Treasurer.

I suspect he would be the last person in the province of Ontario today to publicly say that he didn't believe the financial institutions' concerns were legitimate. And by financial institutions, we're not just talking about the big banks and the big insurance companies and the brokerage firms; we're talking about people who run hardware stores, we're talking about places where people leave deposits and we're talking about all kinds of places where people order goods or services and pay by way of down payment. We have all kinds of small businesses that thrive by doing business in this very way. Anywhere there's credit being offered, anybody who buys a traveller's cheque can find himself in this position.

It is inconceivable to me that the government has been so hush about this legislation that it won't even stand up to say, "We think it's a great piece of legislation, but yes, we'll at least allow the public some opportunity to comment on it in the form of public hearings." So far we have not seen a single, solitary word about that.

One other thing before I complete my remarks, and that's this idea that I suspect we will be hearing more of, that this kind of legislation exists in the United States. Well, it does exist in the United States for banking purposes, and the reason it exists in the United States for banking purposes is because banks are state-regulated in the United States. In Canada banks are federally regulated, as are most trust companies. Because of that, we only need to worry about legislation at the federal level dealing with banks, and we have that legislation.

We have the Bank of Canada that looks after the re-mission of, for want of a better expression, dormant bank accounts, stale bank accounts. We have that in Canada. We do not need this piece of legislation to regulate banks. There is no necessity that the province of Ontario step into this field. I don't believe they have jurisdiction to step in, at least as far as banks and trust companies are concerned at any rate, but the fact is they don't need to do it. The federal government has already done it.

The other aspect about this is that every day we hear stories in this Legislature about auto insurance and the price of premiums going up. If auto insurance companies and casualty companies—everybody needs auto insurance and home owner's insurance—if all of these companies now have to go back to 1984, five years from the 1989 date, they will now have literally millions and millions and millions of dollars to send to the public trustee, dollars that have been reported as income by these companies.

When these companies send all that money to the public trustee, all of a sudden they no longer can show it as income, and all of a sudden there is pressure, even more pressure, to raise the rates of premiums that people in the province have. So if you think by coming up with this cockamamory piece of legislation, conceived by an American bounty hunter, delivered by a Liberal lawyer who had access to the Liberal caucus, if you think that's going to have positive effects on the cost of goods and services for the people in Ontario, you are very, very much mistaken.

Interjections.

Mr Harnick: My friends across the way think this is very funny. They think it is very funny that they've resurrected a piece of legislation that the Liberals rejected because they came to their senses and realized that this piece of legislation did not help anybody in the public. It didn't help anybody in any community to their senses and realized that this legislation did not help anybody in the public, didn't help anybody in any community, in Willowdale or Brampton or Mississauga.

This piece of legislation isn't going to help anybody; it's only going to help the Treasurer of the province. He's going to scoop up all this money that doesn't belong to him and he's going to spend it all. He's going to spend it all and waste it all. We know that, and that's always what happens, because this money is earmarked for general revenues. It's going to go into general revenues, and it's going to be spent, and two years from now the first \$25 million is going to be gone and nobody's going to know where it went.

Nobody has asked for this piece of legislation. When people realize there is unclaimed property they have, they go to the Bank of Canada and get their money, no problem. They go to the insurance company with the stale-dated cheque and a new cheque is reissued. We don't need to set up a bureaucracy in the public trustee's office to feather the nest of the Treasurer of this province.

At the very least, if that's what you intend to do, as a courtesy to the financial community and to small business people all over this province, afford them the opportunity to come to public hearings and give them the opportunity

to tell you why this piece of legislation should not proceed.

Mr Winninger: I've seen the member for Willowdale carried away on his own flights of fancy before, but rarely have I seen him go to this extent.

I reject the assertion that this is a cash grab. What this legislation is designed to do is reunite lawful owners of property with that property.

I also reject the assertion made by the member for Willowdale that the Liberals rejected this package because it didn't make any sense. As the Speaker well knows, the original legislation passed third reading, it was granted royal assent and would have been implemented had it not been for the election intervening in 1990.

But what that period of time between 1989 and now allowed the government to do was consult with the industry to ensure that many of their concerns were met, and most of their concerns have in fact been met. Retrospectivity, constitutionality, the paperwork burden: All these concerns expressed by industry have been adequately addressed in this legislation.

We know as a fact that every state in the United States, as the Treasurer observed earlier today in response to the question from the member for Don Mills, in every state south of the border where this kind of legislation has been introduced it has been successful. I'll be alluding in my own remarks to the measures of success in the state of Texas, where many owners, had it not been for the government intervening and advertising for the owners, advertising the unclaimed property, would never have been able to claim that property. It's successful; it's economical—

The Deputy Speaker: Thank you. The time has expired.

Mrs Marland: It's interesting. I guess the Liberals are not getting up to congratulate the member for Willowdale on his excellent analytical review of this bill.

The point, of course, as the member for Willowdale has said, is that this bill originated with the former government, as have so many things, actually, that the current government, our wonderful socialist government, has chosen to continue. It's really interesting to hear the member for London South refer to "flights of fancy." That really is a wonderful description of what this current government is doing, and in particular this current Treasurer.

2220

It seems that every time somebody can dream up some new form of cash grab, they do that, and they do it whether or not they have looked at the impact on the people of this province. At the same time they are making these absurd decisions about, "Where else can we collect some money?"—certainly the \$50 filing fee across this province, not only the money but the actual paperwork of it is an absurdity in terms of the nuisance factor for small business people who have one more piece of paper to file with a cost factor attached.

But in spite of all of this, this government is still not fulfilling its obligations in terms of priority of need to human beings first. This government still ignores the

people in this province with special needs, and I'm talking primarily about our developmentally disabled adults and children. This government continues to ignore them.

Mr Sutherland: I want to pick up on the comments made by my colleague the member for London South, who is going to be speaking next and talking in more detail. I find it rather interesting that the member for Willowdale seems to want to be the great defender of the banks and the trust companies etc when this bill is about protecting individual consumers. That's really what we're talking about here: to ensure that there is adequate notification that this property is available, that the unclaimed tangible property is available, doing far greater notification than is required now or than any of the banks or trust companies will do. That party, that allegedly has fought for property rights, all kinds of property rights—now we're the defenders of property rights and we're doing something to try to make sure individuals do get their property and are able to claim ownership of it, and they're opposed to it.

The other thing to make very clear is that this is not quite exactly the same bill or the same provisions that the Liberals had put forward. There has been a lot of consultation from the time the Liberals put the bill forward to the time we've brought it forward.

We have consulted with the different industries and addressed a lot of their concerns. But I do find passing strange that somehow, on the road to Damascus, there is this new conversion, that the third party no longer supports individual property rights. That's what they're admitting here this evening, by basically saying: "We want to support the banks. We want to support the large trust companies. We don't want to support the individual who rightfully owns this piece of property or has this rightful claim." No, they don't support that any more. Or are they just flip-flopping again and unsure of where they stand?

Mr Mahoney: I think there might be an opening.

Mr Stockwell: I thank the Liberal member for Mississauga West for allowing me this opportunity. First, let's deal with the issue here. The issue is, as the government member suggests, they're trying to reunite money with people. That's the game plan here. They're going to get this money from all the institutions that people have left in accounts that have been closed and so on and then they're going to go out and find those people and reunite them, the people and their money.

Let's just think for a moment. Let's say they don't find all the people who are supposed to get that money. That's called "divorced" money, not reunited money. That money sits out here, and where do you think the divorced money goes? You'd think they'd search high and low to find out where the true owners of this money are. But no, this government then takes the money to the public trustee and puts it in general revenue. But that has no bearing on why they're introducing this piece of legislation. Sure, they're going to generate millions of dollars, but that has nothing to do with what's on the table today. They don't think the banks and the other institutions should have this money. They believe the government

should have it so they can reunite it with those people who really should have it, and if it can't find them, it'll keep it.

The cynical out there would say, "My gosh, I think this government's just doing this so it can get the millions of dollars that people don't claim, that they can't reunite," but we know the member for Oxford's not a cynical sort and we know the member for London South is not a cynical sort. They may be a lot of things, but they're not cynical, because they bought this line the Treasurer sold them hook, line and sinker. "We only get millions of dollars out of this but we're only doing it for the good of the people so we can reunite their money with them, and if there's some left over, well, we'll keep it."

The Deputy Speaker: The member for Willowdale, you have two minutes.

Mr Harnick: They've introduced a \$50 corporate filing fee, they've sold the GO Transit rolling stock and they're leasing it back, they're now going to sell ferry boats and lease those back, they've increased every fee in the province of Ontario—the Outdoors Card, probating a will, getting your driver's licence—and now they've come up with a scheme to reunite people with their property. This scheme to reunite people with their property and at the same time throw \$25 million a year into the government general revenue fund—talk about cynical. I don't want to seem cynical, but how can you come to any other conclusion? Reunite people with their property, the member for London South says. Are you serious? Were you born under a rock? I can't believe it.

We talk about retrospectivity. They've really fixed up retrospectivity. They've only got different years of retrospective action for every different type of financial instrument. How is the person running a small business ever going to know what to do?

Just a word again about the United States. Every state has this legislation for banks. The banks are state-regulated. How many times do you have to be told that? In Canada they're federally regulated. We have this legislation. You can't deal with banks; it's not in your jurisdiction.

The office of the public trustee: Let me tell you about the office of the public trustee. They can't do what they're doing now. How do you expect they're going to be able to administer this money? To the member for Oxford, I'd like you to name one real person who asked for this piece of legislation.

The Deputy Speaker: Further debate. The member for London South.

Mr Winninger: As you may recall, on May 5, as part of the provincial budget, the Minister of Finance announced this government's intention to go ahead with proclamation of the Unclaimed Intangible Property Act. This legislation we know will create an active public interest and consumer protection program for Ontario.

As other speakers have remarked, this law was passed in 1989. It actually passed three readings and royal assent but was never proclaimed. It provides a convenient way for people to get back lost or forgotten money or other

property that rightfully belongs to them. Every year in Ontario, we estimate that \$50 million worth of bank accounts, insurance proceeds, stocks and bonds, unclaimed cheques, even unclaimed wages are abandoned and forgotten by their owners. Sometimes people simply forget to cash a cheque, or they move and forget to close a bank account, or they forget to notify their insurance broker. In some instances, the heirs of a deceased person are unaware of the true magnitude and location of the assets of the deceased. Whatever the reason, this money remains in the hands, frequently, of businesses that it does not legally belong to.

2230

The Unclaimed Intangible Property Act requires that if businesses are unable to track down the rightful owners, these assets will now be transferred to the office of the public trustee.

The member for Willowdale and others have made allegations against the office of the public trustee that are no longer well founded. We know the office of the public trustee has taken many progressive steps to reduce its case load and to hire additional staff to ensure they have the additional resources to deal with clients on an efficient and inexpensive basis. They're responding in a more timely way to their clients than ever before, and it's important to be mindful of that.

Once a year, the government will publish the names of the owners of property in a newspaper supplement to be distributed across the province so that owners can come forward to claim their money. The government will continue to hold the money until it's claimed, using it in the meantime for the benefit of the public, for taxpayers across the province, to fund hospitals, schools, roads and social programs.

It was mentioned earlier that in every state in the United States such a program is already in existence. I brought with me today a section from a Texas newspaper. What it says on the front cover is, "You'd be surprised how hard it is to return money, but that's what we do every day." It goes on to say: "You think it's fun and easy to return money to people? Basically that's true, but the hard part is convincing people to look for their name. Are you going to look? Think you couldn't possibly find your name in here? The folks who received over \$26 million from us last year didn't think we had anything for them either. It only takes a minute." This is a message published by the Texas state treasury, and it lists 122,000 newly reported names just for 1994.

Inside are several testimonials from satisfied customers:

—"Didn't know they owed me." This person had changed jobs, employers, or worked part-time over the past three years or more.

—"Didn't think I needed to. I once had an account." No deposit or withdrawal was made in the bank account for five years or more.

—"Thought I had contacted everyone." This person had moved and failed to give a forwarding address to all those with whom he had done business.

—"I didn't know where to start looking." This was an

individual trying to settle a family member's estate.

Quite clearly, this kind of program, which has worked not only in Texas but across the United States, is very successful and many of the people who have had their property returned are grateful to that program.

This legislation is progressive. It's the first of its kind in Canada. The experience in the United States bodes well for Ontario as well. Through such programs for unclaimed property, the United States jurisdictions have been able to return, on average, about one third of all unclaimed property to rightful owners. If that pattern were to hold true here, we would be able to return \$15 million a year of the estimated \$50 million that would be remitted to the office of the public trustee; \$15 million could be returned to the people lawfully entitled to that property.

Perhaps it was lost on some of the members in the opposition who spoke earlier that the government remains obligated to the rightful owners in perpetuity. Our goal ultimately would be to return all of this money to the rightful owners. But in the meantime, that money that cannot be returned because we've been unable to locate them can be used for the benefit of the general public and not just for the benefit of banks, trust companies and other investment businesses. So the rightful owners still retain the right to reclaim the money, the property, the assets at any time.

When this legislation was passed, as I said, in 1989, Ontario's financial community expressed concerns about difficulties inherent in complying with the new law. We've listened to their concerns and as part of Bill 160 made amendments to make the act work better for all concerned. The amendments address many of the specific issues raised by the financial community.

For example, we've reduced the paperwork burden on businesses by moving from a cumbersome two-step reporting system that was part of the Liberal legislation to a more streamlined one-step system.

We've limited the application of the act to property that was unclaimed as of May 1989, the date the original act was introduced, thereby eliminating the unlimited retrospective application of the act as it existed then.

We've also improved the legislation—harmonized it, if you will—to make the law work in conjunction with federal laws such as the federal Bank Act so it won't conflict with them.

We've addressed also a number of technical but very important concerns that the business community raised with the original act. Following passage of these amendments, the original act can be proclaimed as amended.

On May 19, we released a description of the amendments to the act, the major features to be contained in the regulations and an interpretative bulletin on the jurisdictional scope of the act.

Several people, including the member for Don Mills, the member for Scarborough-Agincourt and the member for Willowdale, suggested that consultation had not been taken with the financial community prior to this stage. I remind the members opposite, as indeed the Treasurer did earlier today in a response to a question posed by the

member for Don Mills, that extensive consultation has taken place with the financial community.

In developing the program, the government made extensive use of detailed consultations and submissions which were received over the past four years. It was the Liberal government, as I said earlier, that introduced a flawed act in 1989 without proper consultation. The financial services sector identified very clearly the problems with the Liberal bill. They were very detailed in their proposals as to how those problems might be rectified. We took careful note of these comments and we've taken steps to address the problems found in the Liberal bill.

In addition, we met with industry representatives in March of this year to review their concerns with the earlier bill and we received many helpful suggestions. Among the groups we met with in March were the Canadian Bankers Association, Canada Trust, the Credit Union Central of Ontario, the Canadian Life and Health Insurance Association and the Investment Dealers Association of Canada.

We announced the new bill in the 1994 budget on May 9. Immediately following this announcement, in fact the very next day, we again met with representatives of the financial sector to address the next steps.

2240

We then introduced Bill 160 on May 18, and the following day we issued a detailed information package and invited comment on any outstanding issues. A letter went out to the financial community on May 19, and among other things, Susan Himel, the acting public trustee, said:

"I'm enclosing a package of information for your assistance, including the original act, a copy of amendments tabled yesterday, a brief description of the first regulations to be filed when the act comes into force, a draft administrative bulletin on whether intangible property is located in Ontario for the purpose of the act and a media release."

So since May 19, and as recently as May 19, all the materials the financial community could want were mailed out. Yet we hear today, I believe for the first time, that insufficient consultation has taken place.

It's important to remember that the essential purpose of this legislation is not simply to deprive banks, trust companies and other investment institutions of the use of that money. The purpose is to ensure that wherever possible this money can be restored to the rightful owners. In the meantime, rather than having the benefit of that money accrue to the holders, we feel it's more appropriate that the benefit of that unclaimed money in the meantime inure to the benefit of the general public, including the taxpayers of Ontario.

We know thousands of people across Ontario are entitled to money they don't even know about, and certainly the government has the economies of scale and the resources to reach out to these people, to let them know the government holds their property in trust, in perpetuity, and to encourage them to apply to reclaim their property. Until the rightful owners are found, the

unclaimed money will, as I said, inure to the benefit of the general public.

I believe this legislation is a good-news item. I believe there are many rightful owners out there who have forgotten about their funds, or lost track of them, that the government can restore. We have the experience in the US jurisdictions where unclaimed property legislation has been extremely successful and returned, on average, approximately a third of all funds remitted to the state treasuries.

There will be some administrative costs, but as I said, the public trustee has certainly regained control over its case load. It has sufficient resources to manage this in an effective, timely and cost-efficient manner.

I would like to take the time remaining to me, or part of the time remaining to me, to say a few words about the victim fine surcharge. The provincial fine surcharge was introduced May 18 as part of Bill 160 as well. Since 1989 there's been a federal victim fine surcharge in place. That fine surcharge was never paid into a dedicated fund until such a dedicated fund was set up at the end of February of this year. That money is designed to be used for the assistance and support of victims of crime.

What Bill 160 does in effect is introduce a similar victim fine surcharge for the province of Ontario, and it applies to part I and part III of the Provincial Offences Act. As I've said, it's dedicated to support current and new victims' services.

The requested amendments to the Provincial Offences Act provide that persons convicted of an offence under parts I and III of the act be required to pay a surcharge in an amount to be determined by regulation. I'm talking here about offences under the Liquor Licence Act, the Highway Traffic Act and other provincial legislation that attracts penalties. The surcharge would be applied to all offences in which a fine is imposed on the offender. It includes municipal bylaws as well but does not include parking offences. Revenues generated from the provincial surcharge and the existing federal surcharge, as I said, will be held in a dedicated fund called the victim assistance fund.

I recall several years ago, when I was still practising law, that there were judges who imposed fines on offenders under provincial and even federal legislation at the time. Those judges would impose fines which varied according to the judge and the court, but after a period of time the provincial court judges were saying: "We don't know where this money is going. We don't know if it's actually going to assist victims of crime. We know it's going into the consolidated revenue fund, but we're having trouble tracking it." In effect, what they decided was, "We won't impose any victim fine surcharge; we'll just let it go until a dedicated fund is set up."

That's what this government has done, as I said at the end of February. It's set up a dedicated fund to ensure that those victim fine surcharges assessed against offenders will go towards victim assistance services. We have in Ontario at 12 locations a victim/witness assistance program, that's typically run through the court facilities, which provides the kind of emotional and

informational assistance that witnesses and victims of crime require as they face what is often a very awesome and daunting judicial system.

At the hearings before the standing committee on justice, on a standing order 125 referral regarding victims of crime, we heard from several deputants their desire that this kind of program, if possible, be extended across the province. We also heard testimonials to the effectiveness of the child witness program in London and a similar one in Toronto, that were originally funded by the federal government on a pilot project basis. When the federal government withdrew its funding a few years ago, the province stepped in and provided that funding, first on a temporary basis and now on a permanent basis.

There are people across the province who are saying to us that perhaps we should look at the feasibility of similar child witness programs in other locations. It's initiatives like the victim fine surcharge that will enable this province ultimately to study and review those needs and see what can be done about expanding the victim/witness assistance program.

The government, as you may know, already provides considerable financial support to services for victims of crime. The victim fine surcharge, of course, will play an important role, but it's just one modest portion of the funding that the province directs towards victims of crime presently.

In 1992-93, for example, approximately \$107 million was spent on services for victims, including \$72 million spent on wife assault prevention initiatives, another \$21 million spent on sexual assault prevention initiatives and \$14 million on criminal injuries compensation. In fact, when the Criminal Injuries Compensation Board found itself short of funding, this government increased its funding by an additional \$1.5 million, which allowed it to meet its obligations under the statute and also, for the first time in a few years, to publish a report of its activities.

2250

In today's economic climate, there are simply not enough funds to support the many excellent initiatives requiring financial support, and it's the victim fine surcharge that offers us greater potential to tailor our victim assistance packages to meet the ever-increasing and diverse need in the community.

We've made significant gains, though, in recent years in providing a high number of quality services to victims. We acknowledge that much remains to be done. We have to ensure that existing services are consistently and equitably distributed across the province and look at what new services might be required.

It has been argued that many offences under part I and part III of the Provincial Offences Act are without victims. In fact, though, most seemingly victimless crimes, such as under the Highway Traffic Act, the Liquor Licence Act or the Game and Fish Act, just to name a few, while not ostensibly with victims, cost the taxpayer a great deal more in terms of health and other related costs.

The member for Willowdale mentioned our photo-radar

legislation in his remarks earlier. At that time, when I participated in the debate, I mentioned the fact, as did the parliamentary assistant to the Minister of Transportation, that there's an enormous physical and financial toll taken by highway accidents. Every year, there are 90,000 accidents in Ontario. We have approximately 11,000 deaths on the highway, we have 90,000 injuries, and an enormous cost in terms of health care, lost income, insurance and property costs that photo-radar will help to cut down on, along with many of our other road safety initiatives.

To suggest that it may be appropriate just to impose a victim fine surcharge on some offences and not on others is very difficult administratively and it ignores the fact that there is a cost to society of all crime, whether there's a direct victim or not. The money that can be generated from victim fine surcharges can be used directly to underwrite the cost of victims' services. Because of the sheer volume of convictions occurring under the Provincial Offences Act, it's appropriate to impose a surcharge for all covered offences, including speeding.

It is the government's firm belief that these kinds of initiatives we can fund with the victim fine surcharges will go a long way towards making the system more sensitive and accessible for victims while improving the assistance they receive. It also reiterates the government's existing and proven commitment to victims' services.

In conclusion, there are two measures in the Budget Measures Act that directly impact on the Ministry of the Attorney General: the Unclaimed Intangible Property Act, which as I said is very progressive, the first of its kind in Canada, but one that has been tested successfully in all jurisdictions in the United States, where one third of all property remitted to the state treasury was returned on average to the rightful owner while the balance of the money was used for the public benefit.

We've taken steps through our consultation to amend the legislation that was passed by the Liberals back in 1989 that addresses many of the valid concerns expressed by the financial community: retrospectivity, constitutionality, undue paper burden. We've streamlined the process. We believe this legislation offers a vehicle to ensure that property is returned to rightful owners while at the same time balancing the right of the owner and the benefit of the public.

Certainly the victim fine surcharge is good news to the victims and their families, many of whom have appeared before standing committees of this Legislature and also of the federal government. It's a surcharge that will provide additional money to improve and expand the standards of assistance that we give to victims. I think it speaks well of this government's commitment to the welfare and recovery of victims of crime.

The Speaker (Hon David Warner): I thank the honourable member for London South for his contribution to the debate and invite any questions and/or comments.

Mr Hans Daigeler (Nepean): I must congratulate the member for London South, because it appears he's worked wonders. He might be surprised to hear that from this side of the House. I'll tell you, Mr Speaker, why I think he has worked wonders, and perhaps he could work that magic a little bit more often.

At about 11 o'clock at night, he brought out more cabinet ministers to listen to the speeches this evening than there are at 2 o'clock in the afternoon, at the beginning of question period. So I do think the member for London South must have something to it in his speech. I don't know what it is, because I don't think it could have been the content; I don't think it could have been the tone. There must be something else that I'm missing here, but obviously the cabinet members are all here.

I think the only reason that I can find for this is a new meaning of cabinet solidarity, because all the backbenchers have had it up to here. Only the cabinet I guess can be forced to be here tonight at 11 o'clock in the evening. Most of the backbenchers of the government are absent and only even senior cabinet members are here. So I think this should really tell something about this government. They don't have sufficient control any more over their own backbenchers that they have to bring in the senior cabinet members to fill the seats at night when we are in extended sittings.

I think, as I say, the member for London South has brought something about. He's brought at least, finally, the cabinet into this House, which we on this side have been asking for for many, many weeks, that they would come during question period.

Mr Cameron Jackson (Burlington South): I listened with interest to the member for London South commenting about the victim fine surcharge. I happen to agree and applaud the government for bringing in this piece of legislation. Quite frankly, I started asking for this legislation when it was first passed by the federal government some six and a half years ago.

The Liberal Party of Ontario, when it was the government, I remember asking Ian Scott in this House, when was he going to bring in a victim fine surcharge, a dedicated fund. He stonewalled the issue. In fact what we saw was the revenue, starting as high as millions of dollars, dropping down to zero revenue from this source last year, because we had no policy in place.

2300

So when the member for London South says this speaks well of this government, I'll tell you how well it speaks of your government: You're the last province in Canada to have conforming legislation in place. It took you four years on behalf of victims.

The member mentioned the child victim/witness assistance program, a pilot project by the federal government when it changed witness legislation and law in this country for victims across Canada. Because of the British North America Act, we administer our courts here in Ontario and in each province, and so the feds set up these pilot projects. Every single province expanded their child victim/witness program—I think PEI is the only one that didn't—except Ontario. We have nearly 40% of the entire population of this country and yet we're the last province to develop a full-time program.

So when I say I applaud the government for bringing in a victim fine surcharge finally, I am also suggesting that it would be somewhat misleading to suggest that it speaks well of the government's commitment, because in

fact we're the last province to get this program in place. It's long overdue and it's about time it was done.

Mr Sutherland: I want to compliment my colleague the member for London South for giving us a very thorough explanation about the unclaimed intangible property piece of legislation and how it works. I think that was an important part of his speech.

Let me say, the victim fine surcharge is also a very important initiative to support victims. I wonder how the member for Burlington South expects the Conservative Party would be able to expand those services when it's not going to increase funding for anything. They may maintain it, but they're not going to increase it. So it shall be interesting to see how they would expand those services under whatever proposals they could come up with.

But I really have a question for the member for London South regarding the unclaimed intangible property issue, and that is this: Earlier in some of the speeches, particularly that of the member for Willowdale, it was said that we didn't need to do this. The federal government already does it. The federal Bank Act already allows it.

Well, the member for London South in his comments cited an example of an insert that appears in Texas where they list all the people who have property owing. I guess I would just want to ask him, has the federal government ever done that type of insert in any advertising? I follow one of the significant regional daily papers in our part of the province. I've never seen that insert. I've read that paper for probably 10 or 15 years.

So if the federal government is doing this, who is it telling about these unclaimed properties? How are the residents and the constituents of Ontario finding out what the federal government is doing? Maybe the federal government just isn't informing these people about their unclaimed properties out there. Maybe the member for London South could elaborate on that point, and maybe that would help explain to some people why we need to do this from a provincial standpoint.

Mr Beer: I think the comments of the member for London South and indeed, before him, the member for Willowdale underline one of the real problems in dealing with this Budget Measures Act. I don't speak at all to the comments that were made with respect to part XVI or the other part, part XII, that the member was discussing, and the member for Willowdale of course was talking about the Unclaimed Intangible Property Act.

The frustration, I think, is that we've been here now discussing this bill since, what, somewhere after 5 o'clock. There are two other key elements, and indeed I'm sure other members see other key elements. One, part III, to deal with the Education Act: We have not had in this Legislature over the course of the four years an appropriate debate around the future of educational financing, and it doesn't look like we're going to have that tonight.

The other section that I think is very important on the social side is part VIII, which deals with the Health Insurance Act. Again, some critical issues there. Both of

those, in my judgement, ought to be in separate bills.

So the question that I have, because my friend from Oxford wanted to put a question, is that it was noted by the member for Nepean that you seem to have some tremendous power over your party and cabinet in terms of the people who are here, and perhaps I could ask the honourable member for London South if he would not use his influence to persuade the government to break this bill up, to separate a number of key components so that they can go out to committee, in other committees indeed, and really be appropriately and properly examined. We simply don't have the time to deal effectively with all of the different components of this bill. Some 17 have been noted, and I would ask the member for London South to do that for us.

The Speaker: The honourable member for London South now has two minutes in which to reply.

Mr Winniger: I was pleased to hear from the member for Nepean. He applauded me for getting a good representation among the cabinet ministers here tonight. I think that speaks to the commitment of our cabinet ministers to these proceedings and the importance of this debate on the Budget Measures Act, but at the same time, if the member for Nepean is bemoaning the fact that he can't get more cabinet ministers here for question period, perhaps that reflects on the quality of the questions that are being asked. Perhaps if the questions were more interesting or more challenging or more appropriate to the needs of the members of the community, there would be more cabinet ministers here to respond.

The member for Burlington South, who sat with the standing committee and in fact was the sponsor of the standing order 125 referral on victims of crime, knows how eagerly some of the deputants and their families have awaited the dedication of a victim fine surcharge fund to provide the kind of funding that's required to assist those victims and their families. It may be true that we're the last province in Canada to dedicate such a fund, but we can't be responsible for all of the governments that came before us that failed or neglected to move on these issues.

The member for Oxford posed a very interesting question about the Bank Act of Canada and what the federal government has done to alert owners of property. All I can say is this: Our legislation, as amended, is designed to harmonize with the Bank Act. They'll remit the money to us after two years, then we'll advertise. We'll find the rightful owners of the property.

The Speaker: The member's time has expired. Is there further debate? I recognize the honourable member for Nepean.

Mr Daigeler: Although it is late, I appreciate the opportunity to at least put a few thoughts on the record, in particular since I have such a valued audience here, so many cabinet members, as I indicated before. I certainly hope that they will listen attentively, because some of the things that I'm pointing out, I think, are of great importance, not just to my riding but across the whole province.

Now, just for the benefit of those people who may be switching in after the news, I should recall what we're

actually debating. It's actually a relatively thick bill, quite an extensive bill. It's called An Act to amend certain Acts to provide for certain Measures referred to in the 1993 Budget and for other Measures referred to in the 1994 Budget and to make amendments to the Health Insurance Act respecting the Collection and Disclosure of Personal Information. That's the title of the bill. I stressed "1993" in order to ask, is this really good management of the government, that almost a year and a half after the 1993 budget was introduced, we're still discussing and debating and perhaps passing legislation that was part of the 1993 budget?

I can understand that the 1994 budget normally would be discussed at this point, obviously. But to still discuss and debate measures from last year's budget at this time, I think, says something about the management ability of the current government, and I don't think it says something very encouraging and very good. But be that as it may, I should point out that Bill 160 is what they call in the legislative terminology an omnibus bill, meaning that it covers a whole salad of questions.

2310

Let me tell you what is contained in this omnibus bill. There are something like 17 major parts of this legislation. There are changes to the Co-operative Corporations Act; part II, the Corporations Information Act; part III, the Education Act.

My colleague the member for York-Mackenzie just indicated that really it would be time, long overdue time, to have an extensive debate about changes to the Education Act in general. Really, we should be spending special moments, and more than moments—days, perhaps—in this House in order to discuss some of the changes that the education system needs and in particular the financing of education, but certainly in this overall omnibus bill we won't get an opportunity to do this.

Part IV of this bill deals with the Crown Timber Act; part V, the Employer Health Tax Act; part VI, the Financial Administration Act and the Public Transportation and Highway Improvement Act. That ultimately will be the section to which I want to address myself more specifically, being the Transportation critic for my party.

However, I should tell you there's also something in there about the Game and Fish Act, part VII; part VIII, the Health Insurance Act; part IX, the Labour Sponsored Venture Capital Corporations Act; part X, the Loan and Trust Corporations Act; part XI, Ontario Home Ownership Savings Plan Act; part XII, Provincial Offences Act; part XIII, the Public Lands Act; part XIV, the Retail Sales Tax Act; part XV, Small Business Development Corporations Act; part XVI, Unclaimed Intangible Property Act; and part XVII, finally, enacts Ontario Public Service Employees' Union Pension Act.

If you've ever seen an omnibus bill, this is it, because there's about everything under the sun that seems to be included in this Bill 160. The only problem, however, is that some important matters that perhaps could have been included and should have been included aren't. If this government was interested, as a last minute—who knows, perhaps we're going into an election in the fall. I certainly hope so, because the timing would be right.

Perhaps they want to pass as much legislation as they can in order to face the people.

If that's the case and if that's the reason why they put in such omnibus legislation, why are there not some very important aspects of public policy included in this omnibus bill? That's what brings me to part VI, the Financial Administration Act and the Public Transportation and Highway Improvement Act, because there are some provisions in this part that could have been included and that in fact the Minister of Transportation promised he would bring in as legislative amendments, and they're not in this bill.

I just want to mention two, in particular, that the Minister of Transportation said he wanted to introduce and that we haven't seen. We haven't seen them in this bill and it looks very much like we won't be seeing them in this session, because in order to introduce new legislation, he would have had to announce that last week.

But since he put everything else in this bill, or the government did, why didn't he put those two provisions in? What are those two provisions? First of all, the member for York Mills actually got a question on earlier this week. He just upstaged me, as it were, by one question, because I had the very same question and I congratulate him on getting into question period before me.

The question was about axle weight. The trucking industry, for many years, has complained that carriers were forced by unscrupulous shippers to put loads on to their trucks that were really illegal. However, shippers would say: "If you don't do that," and essentially break the law, "you can go somewhere else. I will find someone who will take this load." The truckers, if they wanted to be within the law, were losing the business. It was really quite, and still is, unfair competition, or undue pressure certainly.

This amendment that the member for York Mills was asking about, that I wanted to ask about as well and that was requested for quite some time by the trucking association, this legislative amendment that is missing in this bill would simply say that the responsibility for axle weight compliance is shared between the shipper and the carrier. If the carrier gets a fine, the shipper gets a fine as well.

I think that's a reasonable approach. That seems fair. Frankly, the Minister of Transportation, in his response last week, said, yes, he's in agreement and he wants to do that. He said he's waiting for the cooperation of the opposition parties. We are certainly prepared to cooperate if the minister only would bring forward the legislation. I'm saying that here in this omnibus bill he would have had an opportunity to do this.

Frankly, there's a second point that I'm missing here in this legislation and in the House. If the minister had brought it in in some other form, that would have been fine with me as well, but I don't see it anywhere.

Here's a letter that the Minister of Transportation wrote to me personally on January 27, 1994. It's almost half a year ago. I had written to him at the end of November, pointing out to him that during the social contract negotiations, which of course I wasn't privy to,

I was told by municipal officials in the Ottawa-Carleton area that apparently a promise was made to the municipalities that public transit funding would be forthcoming in three instalments per year rather than in one instalment. Why would the municipalities want that? They were asking for this. This was seen by the government as an enticement for the municipalities to come on board with regard to the social contract legislation.

The reason why the municipalities, frankly, were open to this kind of an enticement was that they would save considerable amounts of interest money. Obviously, if they have to pay up front the moneys for public transit before they get the funding—usually it's 75% of those costs from the province—it costs them a lot of money in interest carrying costs. Instead, the government said, "If you come on board with regard to the social contract legislation, we'll do a different funding arrangement with the public transit."

2320

Here's what the Minister of Transportation said when I brought that to his attention. He said, on January 27:

"I can assure you that the Ministry of Transportation has already prepared the necessary legislative amendments to the Public Transportation and Highway Improvement Act which would see three advance payments to municipalities, as follows: May 1st, 40%; July 1st," another "40%; November 1st, 10%.

"The final payment, which would be based on an actual claim, would be acknowledged by February 19, thus resulting in payment being made by March 15th.

"With this method of payment in place, you are quite correct in saying that it will eliminate most interest costs associated to the delay in receipt of subsidy payments.

"Please be assured the government is working on this legislative amendment."

Mr Speaker, that was on January 27, and to tell you quite honestly, I was quite excited when I got this letter. I thought, "Gee, this is great." I didn't expect, frankly, such a positive response, nor, I must admit, did the municipal officials who brought this to my attention. They thought: "This is great. Perhaps this government is serious. When they made their promise with regard to the social contract, perhaps they were honest. Perhaps they were going to keep their promise and they were going to stick with their side of the bargain."

So I did get back a letter, frankly, from the chairman of the Ottawa-Carleton region, addressed to me, saying:

"Thank you very much for your efforts with respect to the issue of subsidy payments to public transit properties as outlined in your correspondence to Mr Stacey. The letter you received from Mr Pouliot is very encouraging.

"As you know, we have based our 1994 budget, and hence our service plan, on the government fulfilling its promise."

Now, that was February 15. Today, it's almost June 14, in another 45 minutes or 35 minutes, and I haven't heard a word. I checked with my municipal officials and they still haven't word a heard—heard a word. I'm sorry.

Mr Frank Miclash (Kenora): It's getting late.

Mr Daigeler: Yes, it is getting late, says the member behind me.

And what's the reason for it? If the Minister of Transportation and if this government were serious about keeping their promises, they could have brought in this amendment in this particular omnibus bill, since everything else but the kitchen sink, I guess, is in this bill.

Now, this would have been two very important points that would have been significant, first of all, for a major industry in Ontario, the trucking industry, and the second initiative I was just mentioning would have been very important and still is very important for the municipalities across the province. I regret that those two provisions are not in the bill.

However, some things are in the bill, not very much in the section I'm talking about, part VI, the Public Transportation and Highway Improvement Act, because essentially what this provision does is it allows the new transportation capital corporation to receive the moneys the province, or the Minister of Finance, is collecting and then on its own account to spend them.

Now, the main reason, as you probably remember, Mr Speaker, for the establishment of the transportation capital corporation and for this provision in this bill here for this corporation to be able to collect fees is the construction of Highway 407. I think all of us support and applaud the initiative to get this major road built as quickly as possible, and frankly, for the 407, if it takes tolls, that is probably the way to go, because what does that permit? The collecting of tolls does permit building this road in a much shorter time frame than if it would happen through the normal appropriation process every year.

Frankly, I see that as the only difference about Highway 407 and as the only advantage about this famous new approach to highway-building that this government, and particularly the Premier, is so proud of. I've heard the Premier numerous times saying this project is going to create 20,000 new jobs and it's going to get the economy moving again and it's a new way, doing new things. It's almost a little bit like the promised land's going to be achieved with this new approach to road-building because it's going to be done faster and cheaper.

The reality is that the only thing that's new is that the government is going to charge tolls and because it's charging tolls, it can build the road faster. That's what's new about the building of 407. That's what's new, since the private consortium that is now building and operating and going to operate the road is no longer, as it was supposed to do originally, providing the upfront capital for the construction of the road.

Frankly, that is becoming increasingly clear to the road builders out there in the province, that really, to some extent, they have been hoodwinked, that, as I say, the really only new element to this road-building project is the charging of tolls.

Hon Richard Allen (Minister without Portfolio in Economic Development and Trade): Go and talk to the roadbuilders.

Mr Daigeler: I think, if I heard right, the member for

Hamilton West just said, "Talk to the roadbuilders."

Hon Mr Allen: Go and talk to them, yes.

Mr Daigeler: The member just asked me to talk to them. It's good that he's asking that question because I happen to have three letters in my hand here from all parts of the province—

Hon Mr Allen: From the consortium?

Mr Daigeler: No, not from the consortium, but the first one here, and I think this gentleman even lives in the member's area, is from the chairman of the Better Roads Coalition, so this is not just some far-flung individual. This is the chairman of the Better Roads Coalition, who has a deep interest on behalf of his members to get new roads and better roads built.

Listen to what he has to say about this project. He does say, like I did, "Firstly, Minister, we again wish to congratulate your government for the acceleration of this work." I'm quite agreed on that myself.

"However, as we have explained in a letter to Mr Guscott," who is the assistant deputy minister of policy and planning at the Ministry of Transportation, "the Better Roads Coalition has a major concern with the procedure used for the analysis of the competitive bids. In fact, sir, our concerns really follow two major areas."

By the way, this letter is addressed to the Minister of Transportation and it was dated May 25, so it's a very recent letter.

"First, the public was advised that private financing was a major objective for this work. The question still remains, would there have been more competitive bidding if the engineering and construction industries had been aware that the government was going to do the financing?"

"Second, as we have said to Mr Guscott, the Ontario government and the construction industry over many years have established an open, public system of tendering that has the confidence and respect of the people of Ontario. In fact, it has been followed by many jurisdictions, not only in Canada, but throughout the world. To throw this openness out to safeguard the competitiveness of the bidders in other business ventures, in our opinion, is not in the public interest. Public contracts are just that, public, and the contractors are aware of this when they enter into this work."

2330

Therefore, Minister, the Better Roads Coalition, while congratulating your government for accelerating Highway 407, is first asking you to provide an analysis of the two competitive bids received for this work, and second, seeking your assurance that any future bidding procedure be implemented with the full knowledge that the bids will be made public.

Clearly, the concerns that I raise this evening and that I have in fact raised in this House before are shared by some very important members of Ontario's roadbuilding industry all across the province, because—seeing that I have only seven minutes left, I can't read it into the record—I also have a letter right here from a major contractor in my area, the Ottawa-Carleton area, who makes exactly the same point; and another one here from Graham Brothers Construction in Brampton which has

written many times on the same subject, and again makes the very same point that the integrity of the tendering process is extremely important and even more so since the consortia are no longer providing the upfront financing.

Very briefly, since we are talking about tolls, I cannot fail but mention Highway 416, in particular since the Minister of Housing is here, the member for Ottawa Centre. I didn't hear it myself on television but I was told that she pretty well said, "If there are no tolls, there won't be any road built." Frankly, I find this unacceptable and so do many members of my community.

Hon Ms Gigantes: Wrong again.

Mr Daigeler: The minister is saying "Wrong again." Frankly, I hope so. If I am wrong on that, that's great, because I have been certainly asking this government and I've been asking the Minister of Transportation that if the federal government is giving you \$60 million and perhaps even more, the least you can do, the least the NDP government can do for eastern Ontario is pick up its two thirds, because normally that road should be built by the provincial government, no questions asked.

This government, through the tremendous efforts of the federal member for Leeds-Grenville, Jim Jordan, whom I wish to thank again, as I've done before, for his effort to get federal funding for the completion of 416—

Mrs Marland: Is he a Liberal?

Mr Daigeler: Yes, he's a Liberal, very much so, and I'm very proud of it.

Hon Ms Gigantes: Don't go too far now. You may be sorry.

Mr Daigeler: The member for Mississauga South, who is a Tory, is saying, "Is he a Liberal?" Yes. I want to assure her he's a Liberal and I'm very glad.

All we are saying is that the rest of the 416, with the federal contribution, should be built and must be built without tolls. I just want to send that message over there to the Minister of Housing, who's there, and to all the other cabinet ministers who are sitting there and, as I say, at this late hour are thankfully listening to my speech. I do hope they will convey this to the Premier, to the Minister of Finance and to the Minister of Transportation.

One other point that I must mention, since we are talking about fees and about tolls and who will be able to collect and get the money for fees under Bill 160, is that famous ferry fee question in eastern Ontario. The member for Kingston and The Islands is here, the whip of the government side. I wonder what he is thinking, because frankly I think that was an unmitigated disaster and again shows the abysmal lack of straightforward management ability by this government. Wouldn't you have thought that this government, the Minister of Transportation and his cabinet colleagues would have checked beforehand whether they had the legal authority to impose ferry fees? Wouldn't you have assumed that?

Last week, for example, the Premier said, in response to a question or a point by the member for Brampton South, "It strains credulity if we wouldn't have checked that the amendments that we were going to introduce on Bill 167 are found to be within the rules of procedure and

that they in fact do not destroy the total meaning of the bill and that we can have these amendments and that they won't be rejected by the chairman of the committee." The Premier said, "Obviously, we've checked this."

I say on the example of the ferry fees in eastern Ontario, we have serious questions about the straightforward management abilities of the government, because as it turns out—and I have the judgement right here. It's quite a lengthy judgement by the Ontario Court (General Division), a judgement by Madam Justice Helen MacLeod, which was dated May 27, 1994. She found—guess what?—that the Minister of Transportation and this government had no statutory, no legal authority to impose fees. What do you say about that? Would you not have assumed that this would have been the very first thing this government does, check to make sure that they have the legal authority to impose the fees?

They could have saved themselves so much political hassle and trouble. All the people in eastern Ontario are mad as hell at the two Wilsons because the government went ahead with these ferry fees. They could have saved themselves all that trouble. It was about a week before the government was going to start collecting the fees that the people of Wolfe Island went to the court and the court, in frankly a very damning decision, said—let me just briefly quote here, and this is at the very end of this 20-page judgement.

It says here—this is the judge: "As a result of my finding that the Minister of Transportation acted without lawful authority in the exercise of his statutory power to impose fares and thereby made a reviewable error, a declaration shall issue that the Minister of Transportation does not have the statutory authority to impose rates of ferriage under section 99 of the Public Transportation and Highway Improvement Act for the Wolfe Island ferry service."

If the government wanted to do something, it could have included at least that provision in this bill that's before us and that we are discussing.

Thank you very much for the opportunity to participate.

Mrs Marland: The member for Nepean brought to the attention of the House the complexity of this Bill 160 in his comments. I guess what an omnibus bill really is, as he was addressing, is the fact that it's a whole lot of things put together that the government wants to slide through as one bill.

It's very significant, when you start reading this bill, as the member did, to look at some of the areas that are addressed. Of course, they're now legalizing the collection of the annual filing fee for corporations. The fact that they've been doing it without a bill, without legislation and authority to do it, for the last two years is quite interesting in itself.

But what is really interesting for a government that claims it is never going to charge user fees is that for the first time in writing, in a bill in health care, we see the words: "The amendments also provide for copayments for accommodation for insured persons admitted to hospitals, as defined in section 46 of the act. The copayments

would be prescribed in the regulations." Finally, we have this government admitting that it does charge user fees in health care in Ontario. That in itself is very significant.

One of the other parts of this bill that is particularly interesting is the fact that the poor individual in Ontario who happens to be a commercial fisherman is now going to pay royalties for the fish that he or she catches. That's really the bottom of the barrel, the bottom of the ocean, when we're going to charge the fishermen royalties for the fish they catch.

2340

Mr Sutherland: The member for Nepean touched upon a lot of issues in his half-hour, but I did hear him talk about Highway 407. That project going forward is a shining example of how this government is taking a new and innovative approach to have economic progress occur in this province. Highway 407 was going to take about 20 or 30 years at the regular rate. This government showed leadership. This government took the initiative to come up with a new and innovative approach to financing expanded highway construction.

Mr Daigeler: Tolls.

Mr Sutherland: We have set up a transportation capital corporation, and, yes, as the member for Nepean says, tolls, a designated toll towards the construction and maintenance of that part of Highway 407. The member for Nepean may have concerns about that, but you ask anybody, any of the truckers who go through Toronto on a regular basis, how much it costs them in the traffic tie-ups that occur there. You want to talk about a significant industry? The auto industry relies quite a bit on the trucking industry getting their goods from place to place just in time. Think of the savings to business. Think of how that's going to create a much better investment climate for those people who want to do investment in the province.

It was not the official opposition, when they were in government, bringing in this approach, nor was it the third party when they were in power for 42 wonderful years, as Mike Harris likes to tell us. It was this government. It was this government that provided leadership, that provided innovation, that worked with the private sector to expand this project and bring it about much sooner than any other government would have.

Hon Mr Allen: I'd like to comment a little bit further on the member for Nepean's remarks with respect to the construction and the bidding process around Highway 407.

We all know that nothing is more common than that those who lose out in bidding processes or perhaps were slow off the mark complain about the unfairness of the process in question, so that is not a very uncommon story the member refers to. But when he says that the fact that the government has become involved in the initial financing and the loan arrangements for the project eliminates all that is unique about this project and otherwise interesting about it, he's quite mistaken.

In point of fact, one of the major reasons for us doing this, and the way we did it, was to construct a major consortium that could build huge transportation com-

plexes and thereby be able to bid on the international market for such projects abroad. The major problem we have in our construction sector in that even our large construction industries, by an international scale, are remarkably small. The bidding process in the past whereby we have had a series of small bids on parts of construction projects has perpetuated a situation in which the industry has not had the capacity to deal with very large international transportation projects of this scale. Doing the 407 in the innovative way in which we have done it has put in place a consortium in this province that can in fact do that and get major export capacity for our economy in the international marketplace. I think that's very significant.

The Speaker: The honourable member for Nepean has up to two minutes for his reply.

Mr Daigeler: I appreciate that the member for Hamilton West had an opportunity to respond, because he raises an important concern that as assistant minister, I guess—I'm not quite sure what the title is—for Economic Development and Trade I'm sure he wants to put forward, and that's the fact that only large megacompanies might be able to compete on the international market for such big projects.

Frankly, I'm kind of surprised that the NDP is now the friend of these large multinational companies and is pushing that agenda. Be that as it may, I'm quite prepared to look at that if they are going to show that expertise and if the bidding process is fair, if in the future other contracts are going to be tendered in a proper fashion and if it doesn't completely shut out all the other construction companies in the province. I'm prepared to look at that. I think that's an argument that's worthwhile to consider.

But to say, as the member for Oxford said, "This thing is innovative, this is tremendous, it's totally new and only we have thought of it"—the key new thing here is tolls. Let's not kid ourselves. What's new about this is tolls, and that's building the road faster. As the gentleman I quoted—who by the way is not one of the losing contractors at all; he's the chairman of the Better Roads Coalition and has nothing to do with the bidding consortia—says: "The important thing is that the road is built. We agree with that." And so do I. If it does require tolls for the 407, fine, but don't go around and say, "This is totally innovative," because pretty well the only thing that's innovative and new is tolls.

The Speaker: Is there further debate?

Mr David Turnbull (York Mills): I rise to speak on this omnibus budget bill. Once again, I have suggested in this House that omnibus bills of this nature are not very savory, because they put together a whole bunch of measures which are completely unrelated, and some of the measures we approve of and others we don't. But this is quite typical of the way this government has acted. This bill has 18 parts and contains 17 different statute amendments. We need to send this out to committee so the various groups that will be affected by this legislation can comment on it.

Just consider some of the things this government has done by way of omnibus bills. We know that last year

Bill 29 killed the commercial concentration tax, which I applaud the government for because we, like the NDP, during the last election criticized the Liberal government for bringing in this very bad piece of legislation. Unfortunately, they had crept into the bill an aspect which would have devastating effects on pharmacists. What do pharmacists have to do with commercial concentration tax? The answer is absolutely nothing. Then we had Bill 47, the famous photo-radar bill. Wedded into that we had, under the guise of road safety, sweeping changes to the Administration of Justice Act.

Let's just look at some of the things we agree with in this bill. Under Bill 160, some of the impediments to job creation are removed in that there is a tax holiday for new hires on the employer health tax. However, this is a very short-lived creation. Within our document that the government likes to mention so often, the Common Sense Revolution, we suggest there should be a moratorium on employer health tax for any companies with a payroll of less than \$400,000. Why \$400,000? Because we know that small companies are the ones that drive the new businesses and job creation in not just this country but around the world. It isn't the large corporations, which are reducing the size of their operations. Small and medium-sized businesses are the ones that are creating the jobs.

2350

Turning to the annual corporate filing fee of \$50: I have never been so surprised as by the amount of hatred for this measure. But when one stops to consider the implications of this, this is a government that says it wants to create business and wants to stimulate business in a terrible recession—which certainly wasn't entirely of their making; it's a worldwide recession—but the government brought in a tax measure of a \$50-per-year filing fee for corporations.

Originally when they brought in this filing fee of \$50, it was to be a one-year measure. This government adopted, I suppose, the same stance as so many governments around the world in the First World War when they brought in income tax. They said: "Oh, this is just a temporary measure. We'll take it off." The government got a great appetite for that \$50. There is real hardship for some small business people who may, for technical reasons, need to have several companies, so that requires that each company needs to have that annual filing fee of \$50. It does create hardship for small businesses that have that situation.

This omnibus budget bill is taking away the retail sales tax they introduced last year on the delivery of dirt, clay and gravel. Why is that? Because they found they couldn't enforce it, couldn't catch the delivery of this, so they've said, "Well, because some people have been cheating and we know they've got away with it, we won't tax it." If that is the yardstick by which this government approaches taxation, we're in for some pretty serious problems—instead of going to the root cause, which is that we're overtaxed and we should back off in a controlled way; not in a reactive way, saying, "They've managed to get away with it, so we won't touch them."

I want to turn particularly to the area for which I'm a

critic, which is the Ontario Transportation Capital Corp, contained in part VI of this bill. The concept of having a corporation which will operate semiautonomously from the government and raise funds is in some ways quite appealing, but unfortunately we believe that what the government is doing is using this as a mechanism to hide debt. Indeed, the Provincial Auditor has commented to this extent.

Last summer, on August 17, the Provincial Auditor, in committee hearings on Bill 17, establishing the capital corporations, raised his concerns about the lack of accountability of the crown corporations. Here are some of his quotes:

"We saw accountability clauses appearing and disappearing in the draft legislation without being able to provide input or without finding out why these clauses were disappearing." I think that's quite a serious indictment.

"I view Bill 17 as a first opportunity to enhance legislation for better accountability with the view that value for money be obtained. It is the result that I'm interested in, to ensure that we are obtaining value for money for the taxpayers' dollars." A very reasonable sentiment by the auditor.

The auditor's concerns were along the lines of accountability provisions, and he didn't see them incorporated into the legislation but instead by way of memoranda of understanding. That's not acceptable, and it isn't providing the protection that the taxpayers seek.

The Provincial Auditor goes on to say:

"They're not tools"—he's talking about the memoranda of agreement—"that assist you, as members of the Legislative Assembly, in ensuring that you have the right tools to monitor, to control and take corrective action where necessary as these corporations are starting down the road and undertaking their activities."

A further quote by the Provincial Auditor at that time: "The Legislative Assembly should have controls over the corporation's revenue and spending and over the total provincial debt through legislation since memoranda of understanding are outside the scope of the Legislative Assembly."

A further quote: "The accountability rules should be strengthened to provide a financial position statement which combines the consolidated revenue funds and these corporations, and indeed all other government-owned corporations, so that the public has a picture of the overall financial position of the province."

This is something which has been echoed over and over in this Legislature and should be of great concern to all the taxpayers of this province. In fact, it should be a concern right across Canada where governments are hiding debt and not presenting information in a manner which is accessible to the average taxpayer.

Indeed, the bond-rating agencies see through this kind of ruse. This year's stated deficit in the budget for the period 1994-95 is supposedly a deficit of \$8.548 billion, whereas the bond-raters' deficit—if we take the list, there's the NDP's stated deficit of \$8.548 billion, then there's non-recurring revenue of \$432 million, pensions of \$828 million, off-book capital of \$1.6 billion, for a total bond-raters' deficit of \$11.48 billion.

It's very easy to see that the government is in fact hiding debt when one compares the stated deficit of the province to the amount of money it's raising on the international markets. That indeed is the acid test.

The concern has already been expressed by the critic for the Liberal Party this evening about the building of the 407 project. Now, the 407 project is to be funded now by the government. In trying to curry favour from both the road builders and indeed from the opposition parties, the government sold a bill of goods that it was going to allow private consortia to bid on the construction of this huge \$1-billion project, and then the best bid would receive the work.

It was appealing because it would be debt that the government wouldn't be involved with. They could wash their hands of it, and in, say, 35 years' time the government would take over the road and would have no debt on that road.

The opposition parties bought into that concept. The government said, "This is a creative way to ensure that we build our infrastructure." However, just a very short period before the 407 contract was announced, the government said, "Oh, we've now decided that we're going to get some deputy ministers to make the decision and clean our hands from that." When the decision came out, lo and behold, the government said it was going to raise the funds "because we can borrow money at a cheaper rate than business."

Quite frankly, that is just an insulting position. Nobody who has any knowledge whatsoever of raising money on international markets has any doubt that in all circumstances a government would raise the money at a lower rate than a private consortium. There could never have been any question of that. For them to suggest that this was the reason they were suddenly changing their minds is absolutely wrong and is misleading by this government.

I see, Mr Speaker, that you're getting a little bit nervous. It being 12 of the clock, I move that we adjourn the debate.

The Speaker: I'd find this an appropriate place to break his remarks. It being 12 midnight of the clock, this House stands adjourned until 1:30 of the clock Tuesday afternoon, June 14.

The House adjourned at 2400.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux: Alex D. McFedries

Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités: Deborah Deller

Sergeant at Arms/Sergent d'armes: Thomas Stelling

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma	Wildman, Hon/L'hon Bud (ND) Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Énergie, ministre délégué aux Affaires autochtones	Grey-Owen Sound	Murdoch, Bill (PC)
Algoma-Manitoulin	Brown, Michael A. (L)	Guelph	Fletcher, Derek (ND)
Beaches-Woodbine	Lankin, Hon/L'hon Frances (ND) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce	Halton Centre/-Centre	Sullivan, Barbara (L)
Brampton North/-Nord	McClelland, Carman (L)	Halton North/-Nord	Dugnain, Noel (ND)
Brampton South/-Sud	Callahan, Robert V. (L)	Hamilton Centre/-Centre	Christopherson, Hon/ L'hon David (ND) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Brant-Haldimand	Eddy, Ron (L)	Hamilton East/-Est	Mackenzie, Hon/L'hon Bob (ND) Minister of Labour / ministre du Travail
Brantford	Ward, Hon/L'hon Brad (ND) Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances	Hamilton Mountain	Charlton, Hon/L'hon Brian A. (ND) Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et ministre délégué à l'Assurance-automobile
Bruce	Elston, Murray J. (L)	Hamilton West/-Ouest	Allen, Hon/L'hon Richard (ND) Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce
Burlington South/-Sud	Jackson, Cameron (PC)	Hastings-Peterborough	Buchanan, Hon/L'hon Elmer (ND) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Cambridge	Farnan, Hon/L'hon Mike (ND) Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation	High Park-Swansea	Ziemba, Hon/L'hon Elaine (ND) Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Carleton	Sterling, Norman W. (PC)	Huron	Klopp, Paul (ND)
Carleton East/-Est	Morin, Gilles E. (L)	Kenora	Miclash, Frank (L)
Chatham-Kent	Hope, Randy R. (ND)	Kingston and The Islands / Kingston et Les Îles	Wilson, Gary (ND)
Cochrane North/-Nord	Wood, Len (ND)	Kitchener	Ferguson, Will (Ind)
Cochrane South/-Sud	Bisson, Gilles (ND)	Kitchener-Wilmot	Cooper, Mike (ND)
Cornwall	Cleary, John C. (L)	Lake Nipigon/Lac-Nipigon	Poullot, Hon/L'hon Gilles (ND) Minister of Transportation, minister responsible for francophone affairs / ministre des Transports, ministre délégué aux Affaires francophones
Don Mills	Johnson, David (PC)	Lambton	MacKinnon, Ellen (ND)
Dovercourt	Sillpo, Hon/L'hon Tony (ND) Minister of Community and Social Services / ministre des Services sociaux et communautaires	Lanark-Renfrew	Jordan, Leo (PC)
Downsview	Perruzza, Anthony (ND)	Lawrence	Cordiano, Joseph (L)
Dufferin-Peel	Tilson, David (PC)	Leeds-Grenville	Runciman, Robert W. (PC)
Durham Centre/-Centre	White, Drummond (ND)	Lincoln	Hansen, Ron (ND)
Durham East/-Est	Mills, Gordon (ND)	London Centre/-Centre	Boyd, Hon/L'hon Marion (ND) Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
Durham West/-Ouest	Wiseman, Jim (ND)	London North/-Nord	Cunningham, Dianne (PC)
Durham-York	O'Connor, Larry (ND)	London South/-Sud	Winninger, David (ND)
Eglinton	Poole, Dianne (L)	Markham	Cousens, W. Donald (PC)
Elgin	North, Peter (Ind)	Middlesex	Mathysen, Irene (ND)
Essex-Kent	Hayes, Pat (ND)	Mississauga East/-Est	Sola, John (Ind)
Essex South/-Sud	Crozier, Bruce (L)	Mississauga North/-Nord	Offer, Steven (L)
Etobicoke-Humber	Henderson, D. James (L)	Mississauga South/-Sud	Marland, Margaret (PC)
Etobicoke-Lakeshore	Grier, Hon/L'hon Ruth (ND) Minister of Health / ministre de la Santé		
Etobicoke-Rexdale	Phillip, Hon/L'hon Ed (ND) Minister of Municipal Affairs, minister responsible for the office for the greater Toronto area / ministre des Affaires municipales, ministre responsable du Bureau de la région du grand Toronto		
Etobicoke West/-Ouest	Stockwell, Chris (PC)		
Fort William	McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition		
Fort York	Marchese, Rosario (ND)		
Frontenac-Addington	Wilson, Hon/L'hon Fred (ND) Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga West/Ouest	Mahoney, Steven W. (L)	St Andrew-St Patrick	Akande, Zanana L. (ND)
Muskoka-Georgian Bay	Waters, Daniel (ND)	St Catharines	Bradley, James J. (L)
Nepean	Daigeler, Hans (L)	St Catharines-Brock	Haack, Christel (ND)
Niagara Falls	Harrington, Margaret H. (ND)	St George-St David	Murphy, Tim (L)
Niagara South-Sud	Coppen, Hon/L'hon Shirley (ND) Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs	Sarnia	Huget, Bob (ND)
	Laughren, Hon/L'hon Floyd (ND) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony (ND)
Nickel Belt		Scarborough-Agincourt	Phillips, Gerry (L)
Nipissing	Harris, Michael D. (PC)	Scarborough Centre/-Centre	Owens, Stephen (ND)
Norfolk	Jamison, Norm (ND)	Scarborough East/-Est	Frankford, Robert (ND)
Northumberland	Fawcett, Joan M. (L)	Scarborough-Ellesmere	Warner, Hon/L'hon David (ND) Speaker / Président
Oakville South/-Sud	Carr, Gary (PC)	Scarborough North/-Nord	Curling, Alvin (L)
Oakwood	Rizzo, Tony (ND)	Scarborough West/-Ouest	Swarbrick, Hon/L'hon Anne (ND) Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Orléans	Caplan, Elinor (L)		Wessinger, Paul (ND)
Oshawa	Plikey, Hon/L'hon Allan (ND) Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales	Simcoe Centre/-Centre	McLean, Allan K. (PC)
	Gigantes, Hon/L'hon Evelyn (ND) Minister of Housing / ministre du Logement	Simcoe East/-Est	Wilson, Jim (PC)
Ottawa Centre/-Centre		Simcoe West/-Ouest	Murdock, Sharon (ND)
Ottawa East/-Est	Grandmaître, Bernard (L)	Sudbury	Martel, Hon/L'hon Shelley (ND) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Ottawa-Rideau	O'Neill, Yvonne (L)	Sudbury East/-Est	
Ottawa South/-Sud	McGuinity, Dalton (L)		
Ottawa West/-Ouest	Chiarelli, Robert (L)	Timiskaming	Ramsay, David (L)
Oxford	Sutherland, Kimble (ND)	Victoria-Haliburton	Hodgson, Chris (PC)
Parkdale	Ruprecht, Tony (L)	Waterloo North/-Nord	Witmer, Elizabeth (PC)
Parry Sound	Eves, Ernie L. (PC)	Welland-Thorold	Kormos, Peter (ND)
Perth	Haslam, Karen (ND)	Wellington	Arnott, Ted (PC)
Peterborough	Carter, Jenny (ND)	Wentworth East/-Est	Morrow, Mark (ND)
Port Arthur	Wark-Martyn, Hon/L'hon Shelley (ND) Minister without Portfolio, Ministry of Health / ministre sans portefeuille, ministère de la Santé	Wentworth North/-Nord	Abel, Donald (ND)
	Poirier, Jean (L)	Willowdale	Harnick, Charles (PC)
		Wilson Heights	Kwinter, Monte (L)
Prescott and Russell / Prescott et Russell		Windsor-Riverside	Cooke, Hon/L'hon David S. (ND) Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main-d'œuvre
Prince Edward-Lennox-South Hastings/ Prince Edward-Lennox-Hastings-Sud	Johnson, Paul R. (ND)		Dadamo, George (ND)
Quinte	O'Neil, Hugh (L)	Windsor-Sandwich	Lessard, Wayne (ND)
Rainy River	Hampton, Hon/L'hon Howard (ND) Minister of Natural Resources / ministre des Richesses naturelles	Windsor-Walkerville	Sorbara, Gregory S. (L)
	Conway, Sean G. (L)	York Centre/-Centre	Malkowski, Gary (ND)
Renfrew North/-Nord	Churley, Hon/L'hon Marilyn (ND) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	York East/-Est	Turnbull, David (PC)
Riverdale	Villeneuve, Noble (PC)	York Mills	Beer, Charles (L)
		York-Mackenzie	Rae, Hon/L'hon Bob (ND) Premier, President of the Executive Council, Minister of Inter-governmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
S-D-G & East Grenville / S-D-G et Grenville-Est		York South/-Sud	Mammoliti, George (ND)
		Yorkview	

CONTENTS

Monday 13 June 1994

Continued from Volume A

SECOND READINGS

Budget Measures Act, 1994, Bill 160

Mr Laughren

Mr Sutherland . . . 6843, 6848, 6860,
6873, 6878, 6883, 6887

Mr Elston 6847

Mr David Johnson 6847, 6849,
6861, 6864, 6874

Mr Winninger . . . 6848, 6878, 6879,
6883

Mr Bisson 6848

Mr Stockwell 6860, 6878

Mr Charlton 6861, 6865

Mr Phillips 6865, 6874

Mrs Marland 6873, 6878

Mr Harnick 6874, 6879

Mr Daigeler 6882, 6883, 6888

Mr Jackson 6882

Mr Beer 6873, 6883

Mr Allen 6887

Mr Turnbull 6888

Debate adjourned 6889

TABLE DES MATIÈRES

Lundi 13 juin 1994

DEUXIÈME LECTURE

Loi de 1994 sur les mesures

budgétaires, projet de loi 160,

M. Laughren 6843

Débat ajourné 6889

